

Planning and Environment Committee

Report

13th Meeting of the Planning and Environment Committee
August 14, 2023

PRESENT: Councillors S. Lehman (Chair), S. Lewis, A. Hopkins, S. Franke, S. Hillier

ABSENT: Mayor J. Morgan

ALSO PRESENT: Councillors P. Cuddy and J. Pribil; M. Corby, L. Dent, K. Gonyou, M. Greguol, P. Kavcic, C. Maton, H. McNeely, K. Mitchener, B. O'Hagan, B. Page and J.W. Taylor

Remote attendance: Councillor C. Rahman; I. Abushehada, E. Bennett, M. Butlin, B. Card, C. McCreery, S. Meksula, L. Mottram, M. Vivian and B. Westlake-Power

The meeting is called to order at 4:01 PM.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lewis

Seconded by: A. Hopkins

That Items 2.1, 2.3 and 2.4 BE APPROVED.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins, S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

2.1 8th Report of the Ecological Community Advisory Committee

Moved by: S. Lewis

Seconded by: A. Hopkins

That the following actions be taken with respect to the 8th Report of the Ecological Community Advisory Committee:

a) the Ecological Community Advisory Committee Working Group comments on the Environmental Impact Statement relating to the property located at 952 Southdale Road West E FORWARDED to the Civic Administration for review and consideration; and,

b) clauses .11, 3.1, 3.2, 4.1, 5.1 to 5.6, inclusive BE RECEIVED for information.

Motion Passed

2.3 Designation Pursuant to Part IV, Ontario Heritage Act - 1350 Wharncliffe Road South

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the designation of the property located at 1350 Wharncliffe Road South:

a) Notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O 1990, c. O. 18*, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix C of this report; and,

b) should no objections to Municipal Council's notice of intention to designate be received, a by-law to designate the property at 1350 Wharncliffe Road South to be of cultural heritage value or interest for the reasons outlined in Appendix C of the staff report dated August 14, 2023 BE INTRODUCED at a future meeting of Municipal Council within 90 days of the end of the objection period;

it being noted that should an objection to Municipal Council's notice of intention to designate be received, a subsequent staff report will be prepared;

it being further noted that should an appeal to the passage of the by-law be received, the City Clerk will refer the appeal to the Ontario Land Tribunal; and,

it being also noted that the Planning and Environment Committee received a communication dated July 28, 2023, from M. Davis, Siv-ik Planning / Design, with respect to this matter;

it being acknowledged that any and all oral and written submissions from the public, related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-R01)

Motion Passed

2.4 Heritage Alteration Permit Application - 134 Wortley Road, Wortley Village-Old South Heritage Conservation District

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the application under Section 42, *Ontario Heritage Act*, seeking to recognize the demolition of the former building and approval for a proposed new building on the heritage designated property located at 134 Wortley Road, within the Wortley Village Old South Heritage Conservation District, BE PERMITTED subject to the following terms and conditions:

a) prior to the submission of the Building Permit application, the following details be provided to the Heritage Planner for approval:

- i) storefront panelling details;
 - ii) storefront windows, including transom with simulated divided lights;
- and,
- iii) upper windows, including simulated divided lights;

b) the exterior of the building, including its detailing, have a painted finish;

c) consideration be given to using permeable pavers for the parking areas;

d) the Heritage Planner be circulated on the Building Permit application to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit; and,

e) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being acknowledged that any and all oral and written submissions from the public, related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-R01)

Motion Passed

2.2 Heritage Alteration Permit Application - 520 Ontario Street - Old East Heritage Conservation District

Moved by: S. Franke

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the application made under Section 42 of the Ontario Heritage Act to erect a new house on the property located at 520 Ontario Street, within the Old East Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated August 14, 2023 as Appendix C, subject to the following terms and conditions:

a) all elevations of the exterior of the house be clad in horizontal vinyl siding with the exception of shake-style fibre cement board cladding in the gables and around the front doorway;

b) the Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit;

c) all exposed wood, including but not limited to the wood porch railing/guard, wood exterior stairs, and wood porch skirt, be painted;

d) the property owner be encouraged to use colours from the Old East Heritage Conservation District palette (Appendix D);

e) the property owner be encouraged to use landscaping at the front of the property to minimize the visibility of the height of the basement level; and,

f) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the Planning and Environment Committee received a verbal delegation from U. Hecht, with respect to this matter;

it being acknowledged that any and all oral and written submissions from the public, related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-R01)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins, S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Franke

That the request for delegation status by U. Hecht relating to the property located at 520 Ontario Street BE GRANTED.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Demolition Request for Heritage Property - 763-769 Dundas Street

Moved by: A. Hopkins

Seconded by: S. Franke

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the demolition request for the building on the heritage listed property located at 763-769 Dundas Street:

a) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the building on the property;

b) the property located at 763-769 Dundas Street BE REMOVED from the Register of Cultural Heritage Resources; and,

c) the property owner BE ENCOURAGED to commemorate the history of the property in a future development;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- H. Garrett, Zelinka Priamo Ltd.;
- Q. Lang, Vice Chair, Cross Cultural Learner Centre Board of Directors; and,
- V. Marochko, Executive Director, Cross Cultural Learner Centre;

it being acknowledged that any and all oral and written submissions from the public, related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-R01)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Franke
Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.2 Demolition Request and Alteration Permit for Heritage Property - 320 King Street

Moved by: S. Franke
Seconded by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the application made under Section 42 of the Ontario Heritage Act seeking approval to demolish the existing parking garage and erect a new high-rise building on the subject property located at 320 King Street, within the Downtown Heritage Conservation District, BE PERMITTED as proposed and described herein and shown in drawings appended to the staff report dated August 14, 2023 as Appendix D, subject to the following terms and conditions:

- a) Design Modifications be implemented if and as appropriate to accommodate any measures required to mitigate potential telecommunications signal interference;
- b) a vibration monitoring strategy be prepared and undertaken during demolition and construction activities to assess and mitigate potential vibration impacts on adjacent cultural heritage resources;
- c) the Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit; and,
- d) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- T. Whitney, Zelinka Priamo Ltd.;

it being acknowledged that any and all oral and written submissions from the public, related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-R01)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Franke

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.3 Vacant Land Condominium - 1875 Dalmagarry Road (39CD-23503)

Moved by: S. Franke

Seconded by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by Hyde Park Ventures Inc., relating to the property located at 1875 Dalmagarry Road, the Approval Authority BE ADVISED that the following issue was raised at the public participation meeting with respect to the vacant land condominium application:

a) the provision of short-term public bicycle parking in the development;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- A. Soufan, York Developments; and,
- S. Allen, MHBC;

it being further noted that the Municipal Council approves this application for the following reasons:

- the purpose and effect of the meeting is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium and application for Site Plan Approval;
- the subject development block is of a size and shape suitable to accommodate the Draft Plan of Vacant Land Condominium; and,
- the proposed use, form, and intensity are considered appropriate and compatible with existing residential development in the surrounding neighbourhood;

it being acknowledged that any and all oral and written submissions from the public, related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D07)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Franke

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.4 341 Southdale Road East (Z-9626)

Moved by: S. Hillier

Seconded by: S. Franke

That, on the recommendation of the Director, Planning and Development, based on the application by Sam Singh, relating to the property located at 341 Southdale Road East, the proposed by-law appended to the staff report dated August 14, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2023 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016), to change the zoning of the subject property FROM a Residential R3 (R3-3) Zone TO a Holding Residential R5 Special Provision (h-(-)*h-(-)*h-(-)*h-18*R5-6(-)) Zone;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- A. Richards, Zelinka Priamo Ltd.;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement 2020;
- the recommended amendment conforms to the Southwest Area Secondary Plan;
- the recommended amendment conforms to The London Plan, including, but not limited to the Neighbourhoods Place Type and Key Directions; and,
- the recommended amendment facilitates the development of an underutilized site within the Built Area Boundary and Primary Transit Area with an appropriate form of infill development that provides choice and

diversity in housing options;

it being acknowledged that any and all oral and written submissions from the public, related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters.(2023-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.5 2550 Sheffield Boulevard (Z-9420)

Moved by: A. Hopkins

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Sifton Properties Limited, relating to a portion of the lands located at 2550 Sheffield Boulevard:

a) the proposed by-law appended to the staff report dated August 14, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2023 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016), to change the zoning of the subject lands FROM a Holding Business District Commercial BDC2 Special Provision / Office OF5 / Residential R8 Special Provision (h•h-54•h-100•h-128•BDC2(5)/OF5/R8-4(17)) Zone TO a Residential R5 Special Provision (R5-7()) Zone; and,

b) the Civic Administration BE DIRECTED to review short-term public bicycle parking in the development;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- A. Haasen, Sifton Properties Limited; and,
- N. Davis;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended zoning by-law amendment is consistent with the Provincial Policy Statement (PPS 2020);
- the recommended zoning conforms to The London Plan, including, but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies; and,
- the recommended zoning will permit cluster townhouse dwellings as a permitted use which is appropriate and compatible with existing and future planned development in the area;

it being acknowledged that any and all oral and written submissions from the public, related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: A. Hopkins

Seconded by: S. Franke

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

4. Items for Direction

4.1 Facilitation of London as a Bird Friendly City by Nature Canada - B. Samuels, Coordinator, Bird Friendly London

Moved by: S. Franke

Seconded by: A. Hopkins

Whereas bird populations in North America are declining at alarming rates due to human factors that require urgent corrective actions to address;

Whereas the City of London and its surrounding region are home to many species of birds that migrate through or occur here throughout the year;

Whereas the City of London, through its programs, policies and operations, aims to protect the Natural Heritage System and to conserve birds and biodiversity wherever possible;

Whereas Nature Canada has developed a certification standard to certify eligible municipalities as a “Bird Friendly City” that recognizes and celebrates their contributions to saving bird lives within their jurisdictions; and,

Whereas the City of London’s existing “High-level” Bird Friendly City certification reflects the ecological, economic and cultural significance of birds to Londoners;

Be it resolved that the City of London supports efforts by the London Bird Team to pursue London’s re-certification as a Bird Friendly City;

it being noted that the Planning and Environment Committee received a communication from B. Samuels, Bird Friendly City London, ON, with respect to this matter.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 (ADDED) 9th Report of the Community Advisory Committee on Planning

Moved by: S. Franke

Seconded by: A. Hopkins

That the following actions be taken with respect to the 9th Report of the Community Advisory Committee on Planning, from its meeting held on August 9, 2023:

a) the revised Working Group comments appended to the Community Advisory Committee on Planning Report, with respect to the property located at 50 King Street and 399 Ridout Street North, BE FORWARD to S. Wise, Senior Planner, for consideration to be included in the staff report going to the Planning and Environment Committee August 14, 2023; it being noted that Community Advisory Committee on Planning would encourage public access through the corridors connected between the proposed towers and jail and courthouse; and,

b) clauses 1.1, 3.1, 3.2 and 3.3, 4.1, 5.1 to 5.6, inclusive, BE APPROVED.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 5:07 PM.