

Planning and Environment Committee

Report

1st Meeting of the Planning and Environment Committee
December 4, 2023

PRESENT: Councillors S. Lehman (Chair), S. Lewis, C. Rahman, S. Franke, S. Hillier

ALSO PRESENT: Councillor J. Pribil; J. Adema, M. Corby, A. Curtis, C. Doyon, D. Escobar, M. Feldberg, B. House, M. Hynes, P. Kavcic, T. Macbeth, S. Mathers, C. Maton, H. McNeely, N. O'Brien, B. O'Hagan, B. Page and M. Pease

Remote Attendance: B. Lambert and E. Skalski

The meeting is called to order at 4:01 PM; it being noted that Councillor S. Hillier was in remote attendance.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Vice Chair for the term ending November 30, 2024

That it BE NOTED that Councillor S. Lewis was appointed as Vice Chair to the Planning and Environment Committee by Mayoral Decision 2023-008

2. Consent

Moved by: S. Lewis

Seconded by: S. Franke

That Items 2.1 to 2.6 BE APPROVED.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

2.1 Inclusionary Zoning Review Update

Moved by: S. Lewis

Seconded by: S. Franke

That, on the recommendation of the Director, Planning and Development, NO FURTHER ACTION be taken with respect to the Inclusionary Zoning review;

it being noted that the Civic Administration will consider the findings of the Inclusionary Zoning feasibility analysis in related policy and program reviews to support the development of new affordable housing units, including but not limited to the review of incentive programs, policy reviews in support of the Housing Accelerator Fund (HAF) initiatives, and updates to the programs included in the Roadmap to 3,000 Affordable Units; and,

it being further noted that Inclusionary Zoning is one potential tool to encourage the development of new affordable housing units; however, the financial feasibility analysis demonstrates that IZ is not a consistently viable mechanism to achieve this goal for all tenures of housing or for all market areas of the city;

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.

Motion Passed

2.2 12th Report of the Ecological Community Advisory Committee

Moved by: S. Lewis

Seconded by: S. Franke

That the following actions be taken with respect to the 12th Report of the Environmental Community Advisory Committee, from its meeting held on November 16, 2023:

a) the appointment of K. Lee BE RESCINDED from the Ecological Community Advisory Committee due to lack of attendance; and,

b) clauses 1.1, 2.1, 3.1 to 3.5, inclusive, 5.1 and 5.2 BE RECEIVED for information.

Motion Passed

2.3 Building Division Monthly Report, July 2023

Moved by: S. Lewis

Seconded by: S. Franke

That the Building Division monthly report for the month of July, 2023 BE RECEIVED for information. (2023-A23)

Motion Passed

2.4 Building Division Monthly Report, August 2023

Moved by: S. Lewis

Seconded by: S. Franke

That the Building Division monthly report for the month of August, 2023 BE RECEIVED for information. (2023-A23)

Motion Passed

2.5 Building Division Monthly Report, September 2023

Moved by: S. Lewis

Seconded by: S. Franke

That the Building Division monthly report for the month of September, 2023 BE RECEIVED for information. (2023-A23)

Motion Passed

2.6 Building Division Monthly Report, October 2023

Moved by: S. Lewis

Seconded by: S. Franke

That the Building Division monthly report for the month of October, 2023 BE RECEIVED for information. (2023-A23)

Motion Passed

3. Scheduled Items

3.1 1350 Wharncliffe Road South (Z-9611)

Moved by: C. Rahman

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 Royal Premier Homes, relating to the property located at 1350 Wharncliffe Road South:

a) the proposed by-law appended to the staff report dated December 4, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 19, 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 Holding Urban Reserve UR6 Special Provision (h*17*h-42*UR6(1)) Zone TO a Holding Residential R1 Special Provision (h*h-100*R1-13(7)) Zone; Holding Residential R1 Special Provision (h*h-100*R1-13(_)) Zone; Holding Residential R1 Special Provision (h*h-100*R1-13(_)) Zone; Holding Residential R4 Special Provision (h*h-17*h-18*h-100*h-149*R4-6(_)) Zone; and, a Holding Residential R6 Special Provision (h*h-17*h-18*h-100*h-149*R6-5(_)) Zone;

b) the Approval Authority BE ADVISED that no issues were raised at the public participation meeting;

c) the Site Plan Approval Authority BE REQUESTED to consider the provision of short-term public bicycle parking in the development of each block through the site plan process; and,

d) the Approval Authority BE ADVISED that Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Royal Premier Homes (File No. 39T-23501), prepared by Stantec, Project No. 16141212, March 17th 2022, which shows a draft plan of subdivision consisting of three (3) medium density residential blocks, twenty-eight (28) single-detached lots, one (1) reserve block and one (1) road widening blocks servicing by the extension on Southbridge Avenue and a new Neighbourhood Street (Street A);

it being noted that the Planning and Environment Committee received the Planning Fact Sheet with respect to these matters;

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

- M. Davis, Siv-ik Planning and Design;

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 2020;
- the recommended zoning conforms to the policies of The London Plan, including, but not limited to, the Neighbourhoods Place Type, City Building and Design, Our Tools, and all other applicable policies of The London Plan;
- the zoning will permit development that is considered appropriate and

compatible with the existing and future land uses surrounding the subject lands;

- the proposed and recommended amendments are consistent with the Provincial Policy Statement 2020, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents; and,
- the proposed and recommended zoning amendments will support the proposed Draft Plan of Subdivision and facilitate an appropriate form and mix of low and medium density residential development that conforms to The London Plan;

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, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Franke

Seconded by: C. Rahman

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Moved by: S. Franke

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

3.2 1680 Richmond Street (Z-9667)

Moved by: S. Lewis

Seconded by: C. Rahman

That, on the recommendation of the Director, Planning and Development, based on the application by Cadillac Fairview Corporation Ltd., relating to the property located at 1680 Richmond Street, the proposed by-law appended to the staff report dated December 4, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 19, 2023 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016), to amend the zoning of the subject property FROM a Regional Shopping Area Special Provision RSA1(1) TO a Regional Shopping Area Special Provision RSA1(1) Zone;

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

- S. McGaffey; WND Associates;

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 with the policies of The London Plan, including but not limited to the Key Directions and the Transit Village Place Type; and,
- the recommended amendment would provide access to automobile sales boutique in a convenient and accessible location;

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, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lewis

Seconded by: C. Rahman

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Moved by: C. Rahman

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

3.3 130 Southdale Road West (Z-9663)

Moved by: S. Lewis

Seconded by: C. Rahman

That, on the recommendation of the Director, Planning and Development, based on the application by Alora Homes, relating to the property located at 130 Southdale Road West, the proposed by-law appended to the Planning and Environment Committee Added Agenda as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 19, 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 R1 (R1-9) Zone TO a Residential R3 Special Provision (R3-1(_)) Zone;

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

- L. Jamieson, Zelinka Priamo Ltd.; and,
- P. McInnes;

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 London Plan, including, but not limited to the Neighbourhoods Place Type and Key Directions; and,
- the recommended amendment facilitates the development of vacant residential lands 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, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Additional Votes:

Moved by: C. Rahman

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Moved by: C. Rahman

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

3.4 625 Mornington Avenue (1299 Oxford Street East) (Z-9589)

Moved by: S. Lewis

Seconded by: C. Rahman

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Oxbury Centre Ltd., (c/o Westdell Development Co.), relating to the property located at 625 Mornington Avenue and 1299, 1303, 1307 and 1323 Oxford Street East:

a) the proposed by-law appended to the staff report dated December 4, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 19, 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 Community Shopping Area (CSA4) Zone, TO a Holding Residential R9 Special Provision (h-_*R9-7(_)*H45) Zone and a Community Shopping Area Special Provision (CSA4(_)) Zone;

b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:

- i) the recommendations of the Noise Study be implemented;
 - ii) provide an adequately sized and centrally located outdoor amenity space, either at-grade or rooftop, or a combination of both;
 - iii) details regarding garbage storage and collection be determined; and,
 - iv) bird friendly design;
- c) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the special provisions to the CSA4 Zone relate to changes to existing conditions resulting from the recommended zone boundary and do not significantly alter the proposed development circulated in the Notice of Revised Application and Notice of Public Meeting;

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

- S. Rasanu, Strik Baldinelli Moniz;
- N. Perzia; and,
- M. Bartouka;

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 London Plan, including, but not limited to the Transit Village Place Type and Protected Major Transit Station Area policies; and,
- the recommended amendment facilitates intensification of an underutilized site;

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)

Additional Votes:

Moved by: C. Rahman
 Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Moved by: C. Rahman
 Seconded by: S. Franke

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Moved by: S. Franke
 Seconded by: C. Rahman

That the motion be amended to include a new part b) iv to read as follows:

- iv) Bird friendly design

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Moved by: S. Lewis
Seconded by: C. Rahman

Motion to approve the main motion, as amended

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

3.5 488-492 Pond Mills Road (Z-9625)

Moved by: S. Lewis
Seconded by: C. Rahman

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Willow Bridge Homes Ltd., c/o Zelinka Priamo Ltd., relating to the property located at 488-492 Pond Mills Road:

- a) the proposed by-law appended to the staff report dated December 4, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 19, 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 R1 (R1-3) Zone TO a Residential R9 Special Provision (R9-3()*H15) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following issues through the site plan process:
 - i) the possible addition of a public pathway/easement for pedestrian access to Pond Mills Road from Glenroy Crescent;
 - ii) additional landscaping to be implemented along the eastern property boundary adjacent to Glenroy Crescent and to install a privacy fence around the parking area bordering the property; and,
 - iii) enhanced tree planting;

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

- L. Jamieson, Zelinka Priamo Ltd.;
- I. Klassen;
- R. Evans;
- N. Aikenhead;
- B. Martin;
- S. Shoeb;
- S. Hart; and,
- T. Staines;

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, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended amendment conforms to The London Plan, including

but not limited to the Key Directions, City Design and Building policies, and the Neighbourhoods Place Type policies;

- the recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the site and the surrounding neighbourhood; and,
- the recommended amendment facilitates an infill development on an underutilized site and provides a broader range and mix of housing options within 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)

Additional Votes:

Moved by: S. Franke

Seconded by: C. Rahman

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Moved by: C. Rahman

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: C. Rahman

Motion to remove clause b) i);

motion to amend clause b) ii) to include additional landscaping w/privacy fence to remove cut-through;

the Site Plan BE REQUESTED to explore installing a privacy fence around the parking area bordering the property;

Moved by: S. Lewis

Seconded by: S. Franke

Motion to approve the motion, as amended.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: C. Rahman

Motion to remove clause b) i);

Yeas: (2): C. Rahman, and S. Hillier

Nays: (3): S. Lehman, S. Lewis, and S. Franke

Motion Failed (2 to 3)

Moved by: S. Hillier

Seconded by: C. Rahman

motion to amend clause b) ii) to install a privacy fence around the parking area bordering the property;

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: C. Rahman

Seconded by: S. Franke

That the Deferred Matters List dated November 27, 2023 BE RECEIVED; it being noted that the Committee Clerk BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

6. Confidential (Enclosed for Members Only)

Moved by: S. Lewis

Seconded by: C. Rahman

That the Planning and Environment Committee convene, in Closed Session, for the purpose of considering the following:

a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to appeals related to the Victoria Park Secondary Plan at the Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation;

a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to appeals related to 755, 765, 785, and 815 Wonderland Road at the Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation; and,

a matter pertaining to advice that is subject to solicitor-client privilege, including

communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to appeals related to 3089 Singleton Avenue at the Ontario Land Tribunal (“OLT”), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

Yeas: (5): S. Lehman, S. Lewis, C. Rahman, S. Franke, and S. Hillier

Motion Passed (5 to 0)

The Planning and Environment Committee convened, in Closed Session, from 6:01 PM to 6:25 PM.

6.1 Solicitor-Client Privileged Advice / Litigation/Potential Litigation

7. Adjournment

The meeting adjourned at 6:29 PM.