

Planning and Environment Committee

Report

6th Meeting of the Planning and Environment Committee
April 9, 2024

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

ALSO PRESENT: Councillors S. Cuddy, J. Pribil, S. Trosow and A. Hopkins; J. Adema, M. Corby, A. Curtis, G. Dales, K. Edwards, D. Escobar, B. House, P. Kavcic, B. Lambert, S. Mathers, H. McNeely, N. O'Brien, B. O'Hagan, B. Page, M. Pease, A. Riley, S. Thompson

Remote Attendance: E. Pelozza and P. Van Meerbergen; S. Corman, D. Harpal, E. Hunt, A. Patel, E. Skalski, M. Somide and S. Wilson

The meeting is called to order at 1:01 PM; it being noted that Councillor S. Hillier was in remote attendance.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 4th Report of the Ecological Community Advisory Committee

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

That the 4th Report of the Ecological Community Advisory Committee, from its meeting held on March 21, 2024, BE RECEIVED for information.

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

Motion Passed (5 to 0)

3. Scheduled Items

3.1 3696 & 3832 Scotland Drive - (Z-9705)

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Bre-Ex Aggregates Ltd., relating to the property located at 3696 and 3832 Scotland Drive:

a) the proposed by-law appended to the staff report dated April 9, 2024 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2024 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 Resource Extraction (EX) Zone TO a Resource Extraction Special Provision (EX(_)) Zone and Holding Resource Extraction Special Provision (h-18*h-166*EX1(_)) Zone; and,

b) the Civic Administration BE DIRECTED to forward Ecology comments regarding the identified Significant Wildlife Habitat and Species

at Risk, appended to the staff report dated April 9, 2024 as Appendix "F", to the Ministry of Natural Resources and Forestry for consideration in their future site plan review;

it being pointed out that S. Allen, MHBC Planning, made a verbal presentation at the public participation meeting held in conjunction with these matters;

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 policies of The London Plan, including but not limited to the Key Directions and Farmland Place Type; and,
- the recommended amendment would facilitate the construction of a resource extraction-related facility that is appropriate for the context of the 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. (2024-D14)

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 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)

3.2 634 Commissioners Road West - (Z-9708)

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 Royal Premier Homes (c/o Sivik Planning and Design), relating to the property located at 634 Commissioners Road West:

- a) the proposed by-law appended to the staff report dated April 9, 2024 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2024, to amend Zoning By-law No. Z.-1, (in

conformity with the Official Plan for the City of London, 2016), to AMEND the Residential R5 Special Provision (R5-7(30)) Zone;

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

- i) provide 1.8-metre-tall privacy fencing along property lines adjacent to residential parcels;
- ii) retain as many mature trees as possible, especially along Commissioners Road West and along the east and south property lines between the proposed development and the adjacent single detached dwellings; and,
- iii) provide short-term and long-term bicycle parking stalls;

c) that Civic Administration BE DIRECTED to evaluate the north side sidewalk gap and potential need for a PXO to ensure sufficient pedestrian connectivity;

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

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

- M. Davis, Siv-ik Planning and Design; and,
- D. May, President, Condominium Association;

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 that provide for a range of uses and opportunities for intensification and redevelopment;
- the recommended zoning conforms to the policies of The London Plan, including, but not limited to, the Neighbourhoods Place Type, City Building Policies and Our Tools;
- the recommended amendment would permit a development at an intensity that is appropriate for the site and the surrounding neighbourhood; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development;

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. (2024-D14)

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. Franke

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)

3.3 735 Wonderland Road North - (Z-9704)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by 735 Wonderland Rd North Inc. c/o Strik, Baldinelli, Moniz Ltd., relating to the property located at 735 Wonderland Road North:

- a) the proposed by-law appended to the staff report dated April 9, 2024 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2024 to amend the Official Plan for the City of London, 2016, by ADDING a new policy to the Specific Policies for the Transit Village Place Type and by ADDING the subject lands to Map 7 – Specific Policies Areas – of the Official Plan;
- b) the proposed by-law appended to the staff report dated April 9, 2024 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2024, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016 as amended in part a) above), to change the zoning of the subject property FROM an Associated Shopping Area Commercial (ASA1/ASA2/ASA3/ASA5/ ASA6) Zone TO a Business District Commercial Special Provision (BDC1(_)) Zone;
- c) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - i) incorporate elements that achieve the following:
 - A) principle entrances that are oriented and are accessible from the relevant street frontage;
 - B) forecourts on ground floor commercial units;
 - C) urban character between the building/street interface;
 - D) integrated parking and garbage ramps with active uses on the ground floor to activate the front face of buildings to the street;
 - E) appropriate lay-by locations;
 - F) green development elements, where appropriate;
 - ii) implement all Transportation Impact Assessment (TIA) recommendations into a future site plan application notably, the two-way left-turn lane along Beaverbrook Drive; and,
- d) the Municipal Housing Development division BE CONSULTED for the provision of affordable housing units to be undertaken as part of the Site Plan process;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- a communication dated March 3, 2024 from C. Wilkinson; and,
- a communication dated April 8, 2024 from K. and C. McNairn;

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

- N. Dyjach, Strik Baldinelli Moniz Ltd.;
- Dr. J. Barnett;
- B. Elliott;
- C. Wilkinson;
- Resident;
- M. Felker;
- A. Hobbs, Director, Condominium Complex 474; and,
- W. Medwid;

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

- the recommended amendments are consistent with the Provincial Policy Statement, 2020 (PPS), 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 amendments conform to The London Plan, including but not limited to the Key Directions, City Design and Building policies, and will facilitate a built form that contributes to achieving a compact, mixed-use City;
- the recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development; and,
- the recommended amendments would permit an appropriate form of development at an intensity that is appropriate for the site and 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. (2024-D08)

Yeas: (4): S. Lehman, S. Lewis, S. Franke, and S. Hillier

Nays: (1): C. Rahman

Motion Passed (4 to 1)

Additional Votes:

Moved by: S. Franke

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: S. Lewis

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)

3.4 Byron Gravel Pit Secondary Plan

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 Byron Gravel Pits Secondary Plan Final Report:

- a) the proposed attached, revised by-law as Appendix "A", BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2024, TO AMEND the Official Plan for the City of London, 2016, as follows:
- i) ADOPT the Byron Gravel Pits Secondary Plan, appended to the staff report dated April 9, 2024 as Schedule "1";
 - ii) DELETE Policy 1168, Specific Policies for the Byron Gravel Pits within the Future Community Growth Place Types;
 - iii) AMEND Policies 1537 and 1538, Byron Gravel Pits and Adjacent Lands Specific Policies for Aggregate Resources;
 - iv) AMEND Policy 1565 TO ADD the Byron Gravel Pits Secondary Plan to the list of adopted Secondary Plans;
 - v) AMEND Map 1 – Place Types to change the land use designation FROM Future Community Growth, Environmental Review, Green Space and Neighbourhoods Place Types TO Neighbourhoods, Green Space and Environmental Review Place Types as indicated on Schedule "2";
 - vi) AMEND Map 3 – Street Classifications TO MODIFY Commissioners Road West, a Civic Boulevard, as indicated on Schedule "3";
 - vii) AMEND Map 4 – Active Mobility Network TO MODIFY the Cycling and Walking Routes within the Byron Gravel Pits Secondary Plan Area as indicated on Schedule "4";
 - viii) AMEND Map 7 - Specific Policy Areas TO ADD Byron Gravel Pits Secondary Plan Area, and MERGE Specific Policy Area 66 into Specific Policy Area 67 as indicated on Schedule "5";
 - ix) AMEND Schedule 1 from 18 storeys with an upper maximum of 22 storeys; and,
 - x) AMEND Schedule 1 from 25% affordable housing to 10% to 15% affordable housing;
- b) the Civic Administration BE REQUESTED to undertake the following:
- i) consult the Ontario Ministry of Environment, Conservation and Parks to clarify Endangered Species Act regulatory requirements that apply to preserving or relocating species at risk habitat for the Bank Swallow within the Central Pond and Open Space Policy Area; and,
 - ii) contact the Ontario Ministry of Natural Resources and Forestry to clarify Aggregate Resources Act regulatory requirements that apply to rehabilitating and potentially preserving existing site conditions and topography within the Central Pond and Open Space Policy Area;

it being noted that pursuant to Section 34(17) of the *Planning Act, R.S.O. 1990, c. P.13*, no further notice be given with respect to the proposed by-law as the changes are minimal;

it being further noted that the Planning and Environment Committee received the following communications with respect to these matters:

- the Byron Gravel Pits Secondary Plan, March 2024;
- a communication dated February 8, 2024, from D. Hayman, Senior Biologist and A. Leadbetter, Biologist, MTE Consultants;
- a communication dated February 9, 2024, from C. Linton, Highland Ridge Land Corp; and,
- a communication dated April 3, 2024, from S. Stapleton, Vice President, Auburn Developments;

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

- M. Vise;
- M. Shepherd;
- C. Linton on behalf of Highland Ridge Land Corp.;
- M. Wallace, London Development Institute;
- S. Stapleton, Auburn Developments;
- D. Ennis; and,
- N. Pellizzari;

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. (2024-D08)

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 amend the motion to add the following new part to part a):

"AMEND Schedule 1 from 18 storeys with an upper maximum of 22 storeys;"

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:

"AMEND Schedule 1 from 25% to 10% to 15% affordable housing;"

Yeas: (4): S. Lehman, S. Lewis, C. Rahman, and S. Hillier

Nays: (1): S. Franke

Motion Passed (4 to 1)

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)

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)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: S. Lewis

Seconded by: S. Franke

That the Planning and Environment Committee Deferred Matters List dated March 28, 2024 BE RECEIVED for information.

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. Franke

That, pursuant to Section 27.6 of the Council Procedure By-law, a change in order of the Planning and Environment Committee Agenda BE APPROVED, to provide for Item 5.1, Deferred Matters List, in Stage 3, Scheduled Items, to be considered after Item 3.2.

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

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 4:00 PM.