

Planning and Environment Committee Report

13th Meeting of the Planning and Environment Committee
September 20, 2021

PRESENT: Councillors P. Squire (Chair), S. Lewis, S. Lehman, A. Hopkins

ABSENT: S. Hillier, Mayor E. Holder

ALSO PRESENT: ABSENT: Mayor E. Holder
PRESENT: H. Lysynski and J.W. Taylor

REMOTE ATTENDANCE: Councillors M. Cassidy, P. van Meerbergen, S. Turner and M. van Holst; I. Abushehada, J. Adema, G. Barrett, M. Clark, M. Corby, G. Dales, I. de Ceuster, M. Feldberg, M. Greguol, P. Kokkoros, G. Kotsifas, P. Masse, C. Maton, H. McNeely, L. McNiven, B. O'Hagan, B. Page, C. Parker, M. Pease, A. Riley, B. Somers, S. Tatavarti, M. Tomazincic, M. Vivian and B. Westlake-Power

The meeting was called to order at 4:00 PM, with Councillor P. Squire in the Chair, Councillors S. Lehman and S. Lewis present and all other Members participating by remote attendance.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor P. Squire disclosed a pecuniary interest in clause 3.3 of this Report, having to do with the property located at 755-785 Wonderland Road South (Westmount Mall), by indicating that his law office is a tenant in the Mall.

2. Consent

Moved by: S. Lewis

Seconded by: S. Lehman

That Items 2.1 and 2.2, inclusive, BE APPROVED.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

2.1 7th Report of the Advisory Committee on the Environment

Moved by: S. Lewis

Seconded by: S. Lehman

That it be noted that the 7th Report of the Advisory Committee on the Environment, from its meeting held on September 1, 2021, BE RECEIVED for information.

Motion Passed

2.2 3700 Colonel Talbot Road (H-9387)

Moved by: S. Lewis

Seconded by: S. Lehman

That, on the recommendation of the Director, Planning and Development, based on the application by W-3 Lambeth Farms Inc., relating to the property located at 3700 Colonel Talbot Road, the proposed by-law appended to the staff report dated September 20, 2021 BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM Holding Residential Special Provision R1 (h*h-100*R1-3(23)), Holding Residential Special Provision R1 (h*h-84*h-100*R1-3(23)), Holding Residential Special Provision R1 (h*h-100*R1-4(36)), Holding Residential Special Provision R2 (h*h-100*R2-1(17)), Holding Residential Special Provision R4 (h*h-100*R4-6(12)), Holding Residential Special Provision R6 (h*h-100*R6-5(62)), Holding Residential Special Provision R8 (h*h-100*R8-4(49)), Holding Residential Special Provision R8 (h*h-100*R8-4(50)), Holding Residential Special Provision R8 (h*h-100*R8-4(51)), Holding Convenience Commercial Special Provision 6 (h*h-100*CC6(11)), Holding Convenience Commercial Special Provision 6 (h*h-100*CC6(12)), Holding Neighbourhood Facility Special Provision 1 (h*h-100*NF1(17)), and Open Space 1 (OS1) Zones TO Residential Special Provision R1 (R1-3(23)), Holding Residential Special Provision R1 (h-84*R1-3(23)), Residential Special Provision R1 (R1-4(36)), Residential Special Provision R2 (R2-1(17)), Residential Special Provision R4 (R4-6(12)), Residential Special Provision R6 (R6-5(62)), Residential Special Provision R8 (R8-4(49)), Residential Special Provision R8 (R8-4(50)), Residential Special Provision R8 (R8-4(51)), Convenience Commercial Special Provision 6 (CC6(11)), Convenience Commercial Special Provision 6 (CC6(12)), Neighbourhood Facility Special Provision 1 (NF1(17)), and Open Space 1 (OS1) Zones to remove the h and h-100 holding provisions.

Motion Passed

3. Scheduled Items

3.1 Demolition Request on Heritage Listed Property - 900 King Street

Moved by: S. Lewis

Seconded by: S. Lehman

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the demolition request for the Anne Eadie Park Stage on the heritage listed property at 900 King Street, the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the Anne Eadie Park Stage on the property; it being noted that the property located at 900 King Street should remain on the Register of Cultural Heritage Resources as it is believed to be of cultural heritage value or interest; it being further noted that clause 4.2 of the 9th Report of the London Advisory Committee on Heritage with respect to this matter, was approved.

it being noted that no individuals spoke at the public participation meeting associated with this matter.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Additional Votes:

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

Motion to open the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

3.2 1154 Sunningdale Road East (Z-9368)

Moved by: S. Lewis
Seconded by: S. Lehman

That, on the recommendation of the Director, Planning & Development, with respect to the application by Mary Dann, relating to the property located at 1154 Sunningdale Road East, the proposed by-law appended to the staff report dated September 20, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan), BY AMENDING the Urban Reserve Special Provision (UR1(1)) Zone to add an additional permitted use;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding 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, 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 recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation; and,
- the recommended amendment facilitates intensification of a site within the Built-Area Boundary.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

3.3 755-785 Wonderland Road South (Westmount Mall) (Z-9356)

Moved by: S. Lewis
Seconded by: S. Lehman

That the application by McCOR Management Inc., relating to the property located at 755-785 Wonderland Road South (Westmount Mall) BE REFERRED back to the Civic Administration for further consultation with the applicant with respect to the permitted uses in the zone and how the applicant's request may be accommodated and to report back to a future public participation meeting of the Planning and Environment Committee;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- the staff presentation;
- a communication dated September 16, 2021, from P. Lombardi, Partner, Siskinds The Law Firm;
- a communication dated September 16, 2021, from S. Allen, Partner, MHBC Planning;
- a communication dated September 16, 2021, from B. Maly, Executive Director, Downtown London and A. McClenaghan, Chair, London Downtown Business Association;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters.

Yeas: (3): S. Lewis, S. Lehman, and A. Hopkins

Absent: (3): P. Squire, S. Hillier, and E. Holder

Motion Passed (3 to 0)

Additional Votes:

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (3): S. Lewis, S. Lehman, and A. Hopkins

Absent: (3): P. Squire, S. Hillier, and E. Holder

Motion Passed (3 to 0)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (3): S. Lewis, S. Lehman, and A. Hopkins

Absent: (3): P. Squire, S. Hillier, and E. Holder

Motion Passed (3 to 0)

3.4 250-272 Springbank Drive (OZ-9310)

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 of 2355440 Ontario Inc., relating to the property located at 250-272 Springbank Drive:

a) the proposed by-law appended to the staff report dated September 20, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to amend the 1989 Official Plan to AMEND a policy to Section 3.5 – Policies for Specific Residential Area West Coves that would modify the height from 14-storeys to 15-storeys on the subject lands located at 250-272 Springbank Drive;

b) the proposed by-law appended to the staff report dated September 20, 2021 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to amend The London Plan to create a special policy area in the Urban Corridor Place Type at 250-272 Springbank Drive to add a site specific policy to align with the Specific Residential Policy in the 1989 Official Plan, and by ADDING the subject lands to Map 7 – Specific Policies Areas – of The London Plan;

c) the proposed attached, revised, by-law (Appendix "C") BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in parts a) and b) above), to change the zoning of the subject property FROM a holding Residential R9 Bonus/Office Residential Special Provision (h.R9-7.H42.B-49/OR4(2)) Zone and an Open Space (OS4) Zone TO a holding Residential R9 Bonus (h.R9-7.H42.*B-) Zone and an Open Space (OS4) Zone;

it being noted that the Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality residential development, with a maximum height of 15-storeys (51 metres), 260 dwelling units and a maximum density of 306 units per hectare, which substantively implements the Site Plan and Elevations appended to the

staff report dated September 20, 2021 as Schedule “1” to the amending by-law in return for the following facilities, services and matters:

1. Exceptional Building Design

the building design shown in the various illustrations contained in Schedule “1” of the amending by-law is being bonused for features which serve to support the City’s objectives of promoting a high standard of design:

- enhanced building and site design features and a setback podium creating a pedestrian area linked to the public sidewalk;
- buildings oriented to Springbank Drive;
- energy efficient built form;
- garden suites adjacent to Springbank Drive with sidewalk access
- architectural design features on the towers that will enhance the skyline and break up the building mass;
- the inclusion of building step backs with a variety of building materials and building articulation to break up the massing of the building; and,
- purpose-designed amenity space on top of the parking structure.

2. Construction of 2 levels of underground parking;

3. Dedication of the Open Space Lands as a public link and to complement the adjacent Environmentally Sensitive Area along with the removal of the existing asphalt parking lot and substituting it with landscaping;

4. Provision of Affordable Housing consisting of:

- a total of 28 units (14 one-bedroom units and 14 two-bedroom units) allocated towards the purpose of affordable housing;
- a period of affordability for all identified affordable units be set at 50 years;
- that rent for the identified affordable units be set at 85% of Average Market Rents (as determined by CMHC) for the London Census Metropolitan Area (CMA) for the calendar year of 2021 as established for one-bedroom and two-bedroom units;
- the identified units will be mixed throughout and not otherwise identifiable within the building;
- rents for the units shall be inclusive of heat and water and shall only be increased once per 12-month period;
- that the identified affordable housing units be aligned with municipal priorities through a required Tenant Placement Agreement with the City of London; and
- all conditions be secured through an agreement registered on title with associated compliance requirements and remedies.

it being noted that the following Site Plan matters have been raised through the application review process to be addressed through the Site Plan Approval process:

- i) the final building design will consider incorporating bird-friendly design features; including, but not limited to, motion actuated lighting and window treatments up to the fourth floor of the proposed building;
- ii) incorporate an urban treatment between the built form and the City sidewalk. This can be achieved by landscaped tiered planters and staircases where changes in grades exist along the street. This should also include forms of public art along this street frontage, recognising the significant bonus zone that has been provided;
- iii) avoid dark tinted vision glass in favour of clear vision glass to animate the street.

- iv) enhanced provision of boundary fencing along boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;
- v) ensure an access from Springbank Drive along the Thames Valley Corridor to the lands to the south be considered; and,
- vi) address the existing sanitary capacity issues. The Brookdale pumping station needs to be upgraded to accommodate the proposed density of this development;

it being noted that the Planning and Environment Committee reviewed and received the staff presentation with respect to this matter;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

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

- the recommended amendments meet the intent of the OMB Order to permit the development of a two tower residential development;
- the recommended amendments to modify the form of the development are considered appropriate and are consistent with the development framework currently approved;
- 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 in-force policies of The London Plan, including but not limited to the Urban Corridor Place Type and Key Directions;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, High Density Residential and Open Space designations;
- the recommended amendment facilitates the development of an underutilized site at an important location in the Built Area Boundary and Primary Transit Area; and,
- the recommended amendment facilitates the development of affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

3.5 Argyle Core Area Community Improvement Plan (O-9299)

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

That, on the recommendation of the Director, Planning and Development and Interim Director, Economic Services and Supports, the following actions BE TAKEN with respect to the Argyle Core Area Community Improvement Plan (CIP):

a) the proposed by-law appended to the staff report dated September 20, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to amend the 1989 Official Plan to designate the Argyle Core Area Community Improvement Plan Project Area pursuant to Section 28 of the *Planning Act, R.S.O. 1990, c. P.13* and as provided for under Section 14.2.2 of the 1989 Official Plan;

b) the proposed by-law appended to the staff report dated September 20, 2021 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to adopt the Argyle Core Area Community Improvement Plan;

c) the proposed by-law amendment appended to the staff report dated September 20, 2021 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to amend the 1989 Official Plan by adding Section 14.2.2 ii) Dundas Street Corridor and Argyle Mall Area to the list of commercial areas eligible for community improvement under Section 14.2.2 ii), and adding the Dundas Street Corridor and Argyle Mall Area to Figure 14-1 to recognize the commercial areas eligible for community improvement;

d) the proposed by-law appended to the staff report dated September 20, 2021 as Appendix "D" BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to establish eligibility for financial incentive programs in the Argyle Core Area Community Improvement Project Area; and,

e) the proposed by-law appended to the staff report dated September 20, 2021 as Appendix "E" BE INTRODUCED at the Municipal Council meeting to be held on October 5, 2021 to amend the Official Plan, 2016, The London Plan Map 8 – Community Improvement Project Areas by ADDING the Argyle Core Area Community Improvement Project Area;

it being noted that funding for existing CIP incentive programs will expire no later than December 31, 2023, pending a Municipal Council review of the program results to be provided prior to the adoption of the 2024- 2027 Multi-Year Budget, therefore Staff is recommending that funding for any potential incentive programs or other financial requirements in the Argyle

CIP be considered through the comprehensive review of funding levels for all CIPs prior to the next (2024-2027) Multi-Year Budget;

it being noted that the Planning and Environment Committee received and reviewed the staff presentation with respect to these matters;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

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

- based on the policy analysis demonstrated in this report, the Argyle Regeneration Study Recommendations and the community engagement over the past two years, community improvement in the Argyle Core Area is desirable because of age, dilapidation, unsuitability of buildings, deficiencies in infrastructure, as well as other environmental, social and community economic development reasons consistent with the *Planning Act*;
- the Argyle Core Area Community Improvement Plan combines the community's vision for improvement with issues identified by staff into one comprehensive plan. Staff recommends that the Argyle Core Area Community Improvement Plan be adopted including the financial incentive guidelines, all pursuant to Section 28 of the Planning Act, Chapter 14 of the 1989 Official Plan and Our Tools Section of The London Plan.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Lehman

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Moved by: S. Lewis

Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

3.6 1150 Fanshawe Park Road East - Public Site Plan Meeting (SPA21-050)

Moved by: S. Lehman
Seconded by: S. Lewis

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of Stackhouse Developments (London) Inc., relating to the property located at 1150 Fanshawe Park Road East:

a) the Approval Authority BE ADVISED that the following issues were raised at the public participation meeting with respect to the Site Plan Approval application to facilitate the construction of the proposed residential development relating to the property located at 1150 Fanshawe Park Road East:

- i) lack of privacy with the apartments facing the backyards of the residences on Howlett Circle;
- ii) concern for the wildlife in the forested area of the subject property;
- iii) concern for the possible removal of mature Spruce trees, specifically trees 17 to 21, inclusive;
- iv) concern with the lighting from the proposed apartment building shining on neighbouring properties;
- v) concern with the storage of the garbage;

it being noted that the applicant addressed the concerns relating to the trees, lighting and garbage storage;

b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application for the subject property;

it being noted that the Planning and Environment Committee reviewed and received the staff presentation with respect to these matters;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

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

Motion to open the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

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

Motion to close the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

4. Items for Direction

4.1 9th Report of the London Advisory Committee on Heritage

Moved by: S. Lehman

Seconded by: A. Hopkins

That the 9th Report of the London Advisory Committee on Heritage, from its meeting held on September 8, 2021, BE RECIEVED for information.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and A. Hopkins

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential

Moved by: A. Hopkins

Seconded by: S. Lehman

That the Planning and Environment Committee convene, In Closed Session, in order to consider the following:

6.1. Personal Matters / Identifiable Individual

A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2022 Mayor's New Year's Honour List.

6.2. Personal Matters / Identifiable Individual

A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2022 Mayor's New Year's Honour List.

6.3. Litigation/Potential Litigation / Matters Before Administrative Tribunals / Solicitor-Client Privileged Advice

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 an appeal at the Local Planning Appeal Tribunal("LPAT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

Motion Passed

The Planning and Environment Committee convenes, In Closed Session, from 6:36 PM to 6:38 PM.

7. Adjournment

The meeting adjourned at 6:40 PM.