

Planning and Environment Committee

Report

6th Meeting of the Planning and Environment Committee
March 27, 2023

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

ABSENT: Mayor J. Morgan

ALSO PRESENT: Councillors H. McAlister, J. Pribil, S. Trosow and C. Rahman; O. Alchits, M. Corby, B. House, M. Hynes, A. Job, P. Kavcic, S. Mathers, H. McNeely, B. O'Hagan, B. Page, C. Parker, M. Pease and A. Riley

Remote attendance: Councillors P. van Meerbergen and D. Ferreira; I. Abushehada, S. Corman, I. de Ceuster, K. Edwards, A. Hovius, K. Huckabone, P. Kokkoros, C. McCreery, A. Patel, M. Schulthess and S. Tatavarti

The meeting is called to order at 4:00 PM

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

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

That Item 2.1 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 4th Report of the Ecological Community Advisory Committee

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

That the 4th Report of the Ecological Community Advisory Committee, from its meeting held on March 16, 2023 BE RECEIVED for information. (2023-A02)

Motion Passed

3. Scheduled Items

3.1 6019 Hamlyn Street (Z-9565)

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

That, on the recommendation of the Director, Planning and Development, based on the application by The Corporation of the City of London, relating to lands located at 6019 Hamlyn Street, the proposed by-law

appended to the staff report dated March 27, 2023 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on April 4, 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 Residential R1 Special Provision (h*h-100*R1-3(24)) Zone TO an Open Space (OS1) Zone;

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

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;
- the recommended zone conforms to The London Plan, including but not limited to the Neighbourhoods Place Type, Environmental Review Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the recommended zone conforms to the policies of the Southwest Area Secondary Plan; and,
- the recommended zone is appropriate and will permit open space/park uses consistency with the planned vision of the Neighbourhood Place Type and built form that contributes to a sense of place, character and connectivity. (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. 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: S. Lewis

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)

3.2 1154 Hamilton Road (Z-9569)

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by Lynphyl Homes Limited, (c/o Monteith Brown Planning Consultants), relating to the property located at 1154 Hamilton

Road, the proposed by-law appended to the staff report dated March 27, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 4, 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 Neighbourhood Shopping Area Special Provision (NSA4(4)) Zone TO a Residential Special Provision (R5-7(_)) Zone;

it being noted that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:

- i) provide pedestrian connections throughout the site and wrought-iron fencing (or similar fencing type) and a gate along the area nearest the Hamilton Road and Gore Road intersection to access the sidewalk connections at the intersection;
- ii) provide a minimum driveway length of 6.0 metres where a driveway abuts a sidewalk, and a minimum of 2.1 metres where a barrier-free parking stall abuts a sidewalk; and,
- iii) consider alterations to current parking space configurations to provide a more substantial and usable amenity space and better screen any parking exposed to the public street;

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

- J. McGuffin, Monteith Brown Planning Consultants;

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 policies of The London Plan, including but not limited to the Key Directions, City 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 the development of a vacant, underutilized site within the Built-Area Boundary. (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. 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. Lewis
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)

3.3 955 Commissioners Road East (Z-9572)

Moved by: S. Hillier
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 2833257 Ontario Inc., (c/o Siv-ik Planning and Design Inc.), relating to the property located at 955 Commissioners Road East:

- a) the proposed, revised, attached, by-law by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on April 4, 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 Residential R9 (R9-7*H43) Zone TO a Residential R9 Special Provision (R9-7()*H46) Zone and an Open Space (OS5) Zone; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design matters for 955 Commissioners Road East through the site plan review process:
 - i) a variety of amenities in the outdoor open space to serve various populations;
 - ii) additional tree plantings on site;
 - iii) incorporate low walls, railings and/or landscaping to delineate private amenity areas from common outdoor spaces;
 - iv) consideration of no fencing between the building and public pathways to maintain sightlines;
 - v) consider including green infrastructure such as electric vehicle charging stations, green or cool roofs and/or solar panels;
 - vi) consultation with the Ministry of Environment Conservation and Parks regarding development on lands previously used for waste disposal, and,
 - vii) incorporate mitigative measures for methane gas venting & control mechanisms;

it being noted that the Planning and Environment Committee received a project fact sheet;

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

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

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 in-force policies of The London Plan, including, but not limited to the Neighbourhoods Place Type, the High-Density Residential Overlay (HDR) policies, City Building and Design, Our Tools, and all other applicable policies in The London Plan; and,
- the recommended amendment facilitates the development of an underutilized lot within the Built-Area Boundary with an appropriate form of infill development. (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. Franke

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. 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)

3.4 376, 378, 380, 382, 386 & 390 Hewitt Street and 748 King Street (Z-9576)

Moved by: S. Lewis

Seconded by: S. Franke

That, the following actions be taken with respect to the application by East Village Holdings Limited, relating to the properties located at 376, 378, 380, 382, 386 & 390 Hewitt Street and 748 King Street:

- a) the application BE REFERRED back to the Civic Administration to report back at the next meeting of the Planning and Environment Committee to allow a temporary zone on the subject property for one year; and,
- b) pursuant to Section 34(17) of the *Planning Act, R.S.O. 1990, c. P. 13*, no further notice BE GIVEN;

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

- the staff presentation; and,
- the applicant's presentation;

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

- B. Blackwell, Stantec Consulting.

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. Franke

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: S. Lewis

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)

3.5 161 Bonaventure Drive (Z-9574)

Moved by: S. Lewis

Seconded by: S. Lehman

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Bonaventure Crossings (London) Limited, (c/o Effort Trust), relating to the property located at 161 Bonaventure Drive:

a) the proposed, revised, attached, by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on April 4, 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 Highway Service Commercial/Restricted Service Commercial (HS1HS4 /RSC2/RSC3/RSC4) Zone TO a Residential R9 Special Provision (R9-7(_)*H30) Zone;

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

i) reduce the number of surface parking spaces to accommodate more amenity space;

ii) remove the parking area that is adjacent to Dundas Street and address the corner through a landscape treatment and outdoor amenity space;

iii) screen any surface parking exposed to the public street or

residential units with enhanced landscaping, including low landscape walls, shrubs and streets trees;

- iv) provide a centrally located and adequately sized outdoor amenity space;
- v) consent to remove any boundary trees is required prior to final site plan approval; and,
- vi) differentiate the main building entrance from ground floor units. Incorporate patios or forecourt spaces that spills out into the setback to further activate the space and provide additional amenity space for residents;

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

- the staff presentation;

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

- S. Allen, MHBC;

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 in-force policies of The London Plan including, but not limited to, Key Directions and Urban Corridors Place Type and will facilitate a built form that contributes to achieving a compact, mixed-use city;
- 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 an underutilized property within the Built-Area Boundary through an appropriate form of infill development. (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. 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: S. Lewis
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)

3.6 1407 and 1427 Hyde Park Road (OZ-9438)

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

That, the following actions be taken with respect to the application by York Developments, relating to the property located at 1407-1427 Hyde Park Road:

- a) the application BE REFERRED back to Civic Administration to work with the applicant to look at design alternatives, to resolve site plan issues related to parking circulation and conflicts, residential amenity space and other related matters; and,
- b) the Civic Administration BE DIRECTED to prepare an Official Plan Amendment to allow a single storey building on this site;

it being noted that the Planning and Environment Committee received the staff presentation;

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

- S. Allen, MHBC.

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

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: 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

3.7 614 Westmount Crescent (Z-9553)

Moved by: S. Lehman

Seconded by: S. Hillier

That, the following actions be taken with respect to the application by LA-Rosa Community Ltd., relating to the property located at 614 Westmount Crescent:

a) the proposed, revised, attached, by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on April 4, 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 (R1-9) Zone TO a Residential R5 Special Provision (R5-5(_)) Zone;

it being noted that the following urban design and site plan matters were raised during the application review process for consideration by the Site Plan Approval Authority:

- i) provide 2-storey townhouses south of the access along Westmount Crescent to provide an appropriate height transition from abutting low-density residential as per the site plan dated February 21, 2023;
- ii) provide lockable front doors and habitable living space on street-facing facades, including direct connections from the front doors to a walkway or sidewalk connection along the frontage of the property;
- iii) no fencing be provided between the buildings and the public street;
- iv) clarify how the disposable recycling and waste is stored and collected on the site plan;
- v) confirm the gross floor area of each dwelling unit and confirm basement ceiling height is 1.8 metres or more;
- vi) provide shared amenity space on site, and consider adding purposeful features to this space for amenity;
- vii) protect and retain as many of the City trees on the adjacent boulevard as possible. No tree removals shall happen until a permit has been issued by Forestry Operations in compliance with the City of London Boulevard Tree Protection By-law. Replacement trees shall be provided in appropriate locations;
- viii) consider offsetting any tree removals with plantings;
- ix) update the tree preservation plan to ensure all required information outlined by the Landscaped Architect has been included;
- x) ensure pedestrian circulation and access refinements are done with the Accessibility Review Checklist;
- xi) identify the location of fire route signage and provide a standard detail on the site plan;
- xii) include enhanced privacy aspects such as 7ft fences and more evergreen trees or cedar hedges; and,
- xiii) the installation of a sidewalk along Westmount Crescent;

b) the proposed alignment of the driveway for the subject property to potentially align with the property located at 615 Westmount Crescent BE REFERRED to the Civic Administration to report back at a future Planning and Environment Committee meeting;

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

- the revised by-law; and,
- the staff presentation;

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

- S. Allen, MHBC;
- R. Marghella; and,
- B. Gritke;

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 (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 amendment conforms to the policies of The London Plan including but not limited to, Our City, Key Directions, City Building, Neighbourhoods Place Type and will facilitate a built form that contributes to achieving a compact, mixed-use city;
- the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood;
- the recommended amendment facilitates the development of an underutilized property within the Built-Area Boundary through an appropriate form of infill development; and,
- the recommended amendment facilitates a type of residential development that will help to address the growing need for affordable types of 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. (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. Lewis

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. Lewis

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

None.

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members Only)

6.1 Solicitor-Client Privileged Advice / Litigation/Potential Litigation

Moved by: S. Franke

Seconded by: S. Lewis

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 arising out of the Victoria Park Secondary Plan ("VPSP") 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, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

The Planning and Environment Committee convened, in Closed Session, from 6:27 PM to 6:59 PM.

7. Adjournment

The meeting adjourned at 7:00 PM.