

# Planning and Environment Committee

## Report

7th Meeting of the Planning and Environment Committee  
April 11, 2023

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

**ABSENT:** Mayor J. Morgan

**ALSO PRESENT:** Councillors D. Ferreira, J. Pribil and C. Rahman; J. Adema, A. Anderson, J. Bunn, M. Corby, I. De Ceuster, K. Edwards, S. Filson, P. Kokkoros, T. MacBeth, S. Mathers, H. McNeely, N. O'Brien, M. Pease, A. Riley and J. Taylor  
Remote attendance: Councillor S. Trosow; I. Abushehada, S. Corman, M. Davenport, J. Lee, L. Marshall, C. Maton, C. McCreery, C. McIntosh, S. Meksula, B. O'Hagen, B. Warner, B. Westlake-Power and S. Wilson  
The meeting is called to order at 4:00 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

Moved by: A. Hopkins

Seconded by: S. Lewis

That Items 2.1, 2.2 and 2.3 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 Building Division Monthly Report - February 2023

Moved by: A. Hopkins

Seconded by: S. Lewis

That the Building Division Monthly report for February, 2023 BE RECEIVED for information. (2022-A23)

**Motion Passed**

#### 2.2 Draft Plan of Subdivision - Three Year Extension - Stoney Creek South Subdivision - 1300 Fanshawe Park Road East (39T-04512)

Moved by: A. Hopkins

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by 700531 Ontario Limited, relating to the property located at 1300 Fanshawe Park Road East, the Approval Authority BE ADVISED that the Municipal Council supports the request for a three (3) year extension of the draft plan of subdivision approval for the

draft plan submitted by 700531 Ontario Limited, prepared by AGM Ltd., certified by Bruce S. Baker, Ontario Land Surveyor (Plan No. 9-L-4901, dated August 30, 2016), as redlined amended, which shows one (1) commercial block, two (2) high density residential blocks, one (1) medium density residential block, two (2) road widening blocks, and two (2) 0.3 m reserves, all served by one (1) new secondary collector road/neighbourhood connector (Blackwell Boulevard) SUBJECT TO the revised conditions appended to the staff report dated April 11, 2023 as Appendix "A".

**Motion Passed**

2.3 Amendments to Various Planning Related By-laws Pertaining to Delegation and Signing Authority

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 administration title changes:

a) the proposed by-law appended to the staff report dated April 11, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 25, 2023, to amend By-law No. CP-1502-129, as amended, being "A by-law to delegate certain authority of Municipal Council to consent to or grant permits for alterations to heritage designated properties" by deleting all references to the title "Manager, Community Planning, Urban Design and Heritage" and replacing them with the title "Manager, Community Planning";

b) the proposed by-law appended to the staff report dated April 11, 2023 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on April 25, 2023, to amend By-law No. C.P-1470-218, as amended, being "A by-law to delegate the authority to require an applicant to provide information and material in support of various Planning Act applications", to:

i) delete all references to the title "Manager, Long Range Planning, Research and Ecology" and replace them with the title "Manager, Long Range Planning"; and,

ii) delete all references to the title "Manager, Community Planning, Urban Design and Heritage" and replace them with the title "Manager, Community Planning"; and,

c) the proposed by-law appended to the staff report dated April 11, 2023 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on April 25, 2023, to amend By-law No. CP-23, as amended, being "A by-law to provide for the Committee of Adjustment and Consent Authority", by deleting all references to the title "Manager, Current Planning" and replacing them with the title "Manager, Current Development".

**Motion Passed**

2.4 376, 378, 380, 382, 386 & 390 Hewitt Street and 748 King Street (Z-9576)

Moved by: S. Franke

Seconded by: A. Hopkins

That, notwithstanding the recommendation of the Director, Planning and Development and on the direction of Planning and Environment

Committee, based on the application by East Village Holdings Limited, relating to the property located at 376, 378, 380, 382, 386 & 390 Hewitt Street and 748 King Street, the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property, the following actions be taken:

- a) the proposed by-law appended to the staff report dated April 11, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 25, 2023 to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Residential R8 (R8-4) Zone and a Business District Commercial Special Provision (BDC(2)) Zone TO a Residential R8/Temporary (R8-4/T-\_) Zone and Business District Commercial Special Provision/Temporary (BDC(2)/T-\_) Zone; and,
- b) the Civic Administration BE DIRECTED to work with the applicant to select native plants, shrubs and trees for the landscaping, with a focus on four season screening plants; it being noted that planting decisions will reside with the City's Landscape Architect to work with the Applicant at the time of the Site Plan review.

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 Modifications to Public Site Plan Holding Provisions as a Result of Bill 23 (Z-9588)**

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 the h-5 and h-217 Holding Zones, the proposed by-law appended to the staff report dated April 11, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 11, 2023 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016), to change the h-5 and h-217 Holding Zone to exempt Public Site Plan Meetings for residential developments with 10 or fewer units in accordance with the provisions of Bill 23;

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

- M. Wallace, London Development Institute;

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 is consistent with the Planning Act, as amended through Bill 23 which exempts residential developments of 10 or fewer units; and,
- the recommended amendments support Council's goals in the 2019-2023 Strategic Plan, to improve the delivery of service through streamlined Council's decision-making process.

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

**Motion Passed (5 to 0)**

### 3.2 Zoning By-law Amendment - 2016 Huron Street (Z-9575)

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

That, on the recommendation of the Director, Planning and Development, with respect to the application of The Corporation of the City of London relating to the property located at 2016 Huron Street, the proposed by-law appended to the staff report dated April 11, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting April 25, 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 Light Industrial (LI1) Zone, a Light Industrial (LI2) Zone, a General Industrial (G1) Zone, and a Holding General Industrial (h\*G11) Zone, TO a Light Industrial (LI2) Zone, and Open Space (OS4 and OS5) Zones;

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 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 Light Industrial Place Type; and,
- the recommended amendment would consolidate the zoning, simplifying the future development of the site.

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: 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: 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)**

3.3 Housekeeping Amendment to The London Plan (O-9555)

Moved by: S. Franke

Seconded by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the proposed by-law, as appended to the staff report, dated April 11, 2023, BE INTRODUCED at the Municipal Council meeting to be held on April 25, 2023, to amend The London Plan, by correcting errors and omissions, update references to older terminologies, and incorporating Council's approved amendments to the 1989 Official Plan into The London Plan;

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

- M. Wallace, London Development Institute;

it being further noted that the Municipal Council approves this application based on the amendment improving clarity and consistency on the overall policies and maps in The London Plan.

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. Franke  
Seconded by: S. Lewis

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 Official Plan and Zoning By-law Amendment - Street Width Policy Review (OZ-9584)

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to required Street Widths:

a) the by-law appended to the staff report dated April 11, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 25, 2023, TO AMEND The London Plan, the Official Plan for the City of London, 2016 to clarify the planned street widths for the Main Street Classification, and modify the process for permitting alternative street widths; and,

b) the proposed by-law appended to the staff report dated April 11, 2023 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on April 25, 2023, TO AMEND Zoning By-law No. Z.-1, to remove Road Allowance Requirements from Section 4.21, and delete Sections 4.21.1 and 4.21.2;

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

- M. Wallace, London Development Institute;

it being noted that the Municipal Council approves this application based on the amendments preventing unnecessary Zoning-By-law Amendments solely for a deviation from the required street width.

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: 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: 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)**

### 3.5 Zoning By-law Amendment - 300-320 King Street (Z-9570)

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 application by Zelinka Priamo Ltd., on behalf of Royal Host GP Inc. and Holloway Lodging, relating to the property located at 300-320 King Street:

a) the proposed by-law appended to the staff report dated April 11, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 25, 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 Downtown Area (h-3\*DA2\*D350)) Zone TO a holding Downtown Area Special Provision (h-( )\*DA2(\_)) Zone;

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

- i) to ensure sufficient amenity space has been provided, the amount of outdoor amenity space as presented on the architectural drawings should remain;
- ii) to ensure the development represents uniqueness and individual creativity to develop a landmark and contribution, the proposed development should generally reflect the middle portion of the tower as submitted on the architectural drawings with materials and an architectural expression;
- iii) to ensure the built form enhances the pedestrian environment, the ground floor and podium facades should provide depth and variation;
- iv) provide a variety of bird-friendly window glazing along the King Street ground floor façade, to create visual interest and sightlines for sense of safety; as well as protect birds from collision;
- v) design the space between the building and the street to have an urban character and an appropriate mix of hard- and softscape. Include street trees and design pedestrian routes to follow natural desire lines;
- x) to ensure impact from wind, consideration will be given to the common amenity terraces to include wind screens on Level 6 predicted to experience wind conditions suitable for sitting to the immediate north and south of the tower, Level 33 and 35 predicted to be suitable for sitting;
- xi) to mitigate the risk for indirect impacts on the built heritage resource – The Delta Armouries Hotel, a strategy to carry out a pre-condition survey, vibration monitoring and post-condition survey should be developed by a licensed engineer preferably with heritage experience;
- xii) the property should be subject to a vibration assessment prior to the commencement of construction to establish a “Zone of influence” and vibration monitoring and control system and policy be developed and implemented to ensure levels remain below the accepted threshold during all construction activities, to ensure there are no indirect impacts to adjacent structure, of particular note is the Delta Armouries Hotel at 325 Dundas Street. Vibration monitoring should be carried out by an individual

with previous knowledge of heritage structures and the impact of vibration on heritage resources; and,

xiii) the recommendations outlined in the noise study including roadway and railway mitigation measures be implemented and a more detailed noise assessment will be required at the time of site plan review to determine specific noise control measures for the building itself; and,

b) 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 recommended zoning generally implements the site concept submitted with the application. As part of the application review process a revised site plan concept was submitted with minor revisions including a new height of 112.0 metres; however, which is still within the 35-storeys as originally proposed;

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

- M. Campbell, Zelinka Priamo Ltd.;

it being 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 land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment, as well as enhancing the vitality and viability of downtowns. 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 Downtown Place Type, facilitating a built form that contributes to achieving a compact, mixed-use city;
- the recommended amendment conforms to Our Move Forward: London's Downtown Plan, by providing for a landmark development within the downtown core;
- the recommended amendment facilitates the development of an underutilized site within the Built Area Boundary and Primary Transit Area with an appropriate form of 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.

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)**

3.6 Comprehensive Review of the London Plan: Terms of Reference (O-9595)

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 London Plan Comprehensive Review:

a) the Civic Administration BE DIRECTED to initiate the Comprehensive Review, based on the Terms of Reference appended to the staff report dated April 11, 2023 as Appendix 'A'; and,

b) the Terms of Reference appended to the staff report dated April 11, 2023 as Appendix "A" BE CIRCULATED to the Ministry of Municipal Affairs and Housing, Prescribed Agencies, and to development and community stakeholders;

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

- M. Wallace, London Development Institute;
- J. Zaifman, London Homebuilders Association;
- R. Zelinka, London and Area Planning Consultants;
- C. Colvin, Ontario Federation of Agriculture (Lambton-Middlesex);

it being noted that the presentation, as appended to the Added Agenda, with respect to this matter, was received.

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: A. Hopkins  
Seconded by: S. Lewis

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)**

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

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

**6.1 Solicitor-Client Privileged Advice / Litigation/Potential Litigation**

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

**6.2 Solicitor-Client Privileged Advice / Litigation/Potential Litigation**

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers or employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to appeals arising out of The London Plan 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 5:58 PM to 6:25 PM.

**7. Adjournment**

The meeting adjourned at 6:27 PM