

Planning and Environment Committee Report

9th Meeting of the Planning and Environment Committee
May 23, 2023

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

ABSENT: A. Hopkins, Mayor J. Morgan

ALSO PRESENT: Councillors S. Stevenson and J. Pribil; J. Adema, M. Corby, M. Davenport, D. Escobar, A. Hovius, K. Huckabone, M. Hynes, A. Job, P. Kavcic, P. Kokkoros, T. Macbeth, S. Mathers, C. Maton, H. McNeely, N. O'Brien, M. Pease, S. Thompson, M. Vivian, B. Warner, E. Williamson, J. Yanchula and P. Yeoman
Remote attendance: Councillors S. Trosow, C. Rahman and E. Pelozza; I. Abushehada, E. Bennett, S. Corman, M. Davenport, P. Kavcic, J. MacKay, C. McCreery, L. Mottram, B. O'Hagan, B. Page and C. Parker

The meeting is called to order at 4:02 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: S. Franke
Seconded by: S. Lewis

That Items 2.1 to 2.8 BE APPROVED.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

2.1 6th Report of the Community Advisory Committee on Planning

Moved by: S. Franke
Seconded by: S. Lewis

That the 6th Report of the Community Advisory Committee on Planning, from its meeting held on May 10, 2023, BE RECEIVED for information.

Motion Passed

2.2 Building Division Monthly Report - March 2023

Moved by: S. Franke
Seconded by: S. Lewis

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

Motion Passed

2.3 Post Development Environmental Impact Study Monitoring Update

Moved by: S. Franke
Seconded by: S. Lewis

That the staff report dated May 23, 2023 entitled "Post-Development Environmental Impact Study Monitoring Update" BE RECEIVED for information. (E05-2023)

Motion Passed

2.4 5-year Review - Community Improvement Plans and Financial Incentive Programs - Background Analysis

Moved by: S. Franke
Seconded by: S. Lewis

That the staff report dated May 23, 2023 entitled "5-Year Review - Community Improvement Plans and Financial Incentive Programs Background Analysis" BE RECEIVED for information. (D19-2023)

Motion Passed

2.5 5-Year Review - Community Improvement Plans and Financial Incentives Programs

Moved by: S. Franke
Seconded by: S. Lewis

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to the evaluation of Community Improvement Plan and Financial Incentive Programs:

a) the staff report dated May 23, 2023 entitled "5-Year Review - Community Improvement Plans and Financial Incentive Programs", summarizing community consultations and Civic Administration's comprehensive review of the City's existing Community Improvement Plans and associated Financial Incentive Programs BE RECEIVED for information; and,

b) the Civic Administration BE DIRECTED to circulate the draft recommendations appended to the staff report dated May 23, 2023 as Appendix "A" for public review until June 12, 2023. (D19-2023)

Motion Passed

2.6 Heritage Alteration Permit - 27 Bruce Street - Wortley Village-Old South Conservation District (HAP23-015-L)

Moved by: S. Franke
Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval for the replacement of the front porch on the heritage designated property at 27 Bruce Street, within the Wortley Village-Old South Heritage Conservation District, BE REFUSED;

it being noted that the porch alterations do not comply with the policies and guidelines of the Wortley Village-Old South Heritage Conservation District Plan. (R01-2023)

Motion Passed

- 2.7 Closed School Site: Evaluation and Approach (1040 Hamilton Road, former Fairmont Public School)

Moved by: S. Franke
Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the letter of interest from the Thames Valley District School Board for the surplus school site at 1040 Hamilton Road:

a) the Civic Administration BE DIRECTED to express an interest in these lands for the purposes of providing the identified municipal needs of affordable housing and parkland; and,

b) the report dated May 23, 2023 entitled "Closed School Site: Evaluation and Approach (1040 Hamilton Road, former Fairmont Public School) BE RECEIVED for information. (D04-2023)

Motion Passed

- 2.8 Exemption from Part Lot Control By-law - 1005, 1021, 1051, 1065, 1213 and 1221 Meadowlark Ridge (P-9609)

Moved by: S. Franke
Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following action be taken with respect to the application by Rembrandt Meadowlilly Inc., to exempt the following lands from Part Lot Control:

a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated May 23, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 6, 2023, to exempt lands located at 1005, 1021, 1051, 1065, 1213 and 1221 Meadowlark Ridge, legally described as part of Blocks 1, 4 and 13 on Registered Plan 33M-603, and Parts 5, 6, 25, 26, 27, 28, 32 and 35 on Plan 33R-20017, from the Part Lot Control provisions of subsection 50(5) of the said *Act* for a period not to exceed two (2) years; and,

b) the applicant BE ADVISED that the cost of registration of the above-noted by-law is to be borne by the applicant in accordance with City policy. (D04-2023)

Motion Passed

3. Scheduled Items

- 3.1 340-390 Saskatoon Street (Z-9599 / O-9600)

Moved by: S. Lewis
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 Four99 Inc., relating to the properties located at 340-390 Saskatoon Street:

a) the proposed by-law appended to the staff report dated May 23, 2023 as Appendix "A" BE INTRODUCED at a future Council meeting, to amend the Official Plan, for the City of London, 2016, by AMENDING policy 1070B for Specific Policies in the Neighbourhoods Place Type;

b) the proposed by-law appended to the staff report dated May 23, 2023 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on June 6, 2023 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 properties FROM a Holding Residential R2/Restricted Office Special Provision (h-216*R2-3/RO(6)) Zone TO a Holding Residential R2/Restricted Office Special Provision (h-216*R2-3/RO(_)) Zone;

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

- H. Froussios, Zelinka Priamo Ltd.;

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, Neighbourhoods Place Type, and Specific Policy Areas policies; and,
- the recommended amendment would broaden the scope of permitted uses in an existing building with existing light industrial and associated office uses. (D04-2023)

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Franke

Motion to open the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Moved by: S. Franke
Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

3.2 847-851 Wonderland Road South (Z-9597)

Moved by: S. Franke

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by 1216571 Ontario Inc., relating to the property located at 847-851 Wonderland Road South, the proposed by-law appended to the staff report dated May 23, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 6, 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 an Associated Shopping Area Commercial Special Provision (ASA1(7)) Zone TO an Associated Shopping Area Commercial Special Provision (ASA1(_)) Zone;

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

- T. Brydges, Zelinka Priamo Ltd.;

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 Shopping Area Place Type;
- the recommended amendment would permit a new use that is appropriate within the surrounding context; and,
- the recommended amendment would provide access to medical/dental offices in a convenient and accessible location to meet the needs of neighbourhood residents. (D04-2023)

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Franke

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Moved by: S. Franke

Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

3.3 135 Villagewalk Boulevard (SPA23-005) - Public Site Plan Meeting

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 Uptown Commercial Centre c/o Carlos Ramirez, relating to the property located at 135 Villagewalk Boulevard:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Site Plan Approval to facilitate the construction of the commercial building; and,

b) the Approval Authority BE ADVISED that the Council has no issues with respect to the Site Plan Application, and the Council supports the Site Plan Application;

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 Site Plan, as proposed, is consistent with the Provincial Policy Statement 2020, which directs development to designated growth areas and that development be adjacent to existing development;
- the proposed Site Plan generally conforms to the policies of the Shopping Area Place Type and all other applicable policies of The London Plan;
- the proposed Site Plan conforms to the regulations of the Z.-1 Zoning By-law; and,
- the proposed Site Plan meets the requirements of the Site Plan Control By-law. (D04-2023)

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Franke

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Moved by: S. Franke

Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

3.4 Additional Residential Unit Amendments as a Result of More Homes Built Faster Act, 2022 (Bill 23) (OZ-9581)

Moved by: S. Franke

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the Official Plan and Zoning By-law requirements for additional residential units:

a) 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 June 6, 2023 TO AMEND the Official Plan (the Official Plan for the City of London, 2016) policies relating to additional residential units in accordance with new requirements in the Planning Act, which were changed through the More Homes Built Faster Act, 2022 (Bill 23);

b) the proposed by-law appended to the Planning and Environment Committee Added Agenda as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on June 6, 2023 TO AMEND the regulations of Zoning By-law No. Z.-1 relating to additional residential units, to conform with the recommended amendments to the Official Plan for the City of London, 2016;

c) the Civic Administration BE DIRECTED to undertake a review of the current five-bedroom limit and report back at a future Planning and Environment Committee meeting; and,

d) the Civic Administration BE DIRECTED to undertake a review of the current parking and driveway width policies in additional residential units and report back at a future Planning and Environment Committee meeting;

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

- M. Wallace, Executive Director, London Development Institute;
- S. Levin, Orchard Park/ Sherwood Forest Ratepayers Association;
- A. Kaplansky;
- J. Zaifman, CEO, London Homebuilders Association;
- S. Bentley, Interim President, Broughdale Community Association;
- C. O'Brien, Drewlo Holdings and Ironstone Building Company; and,
- J. Liu;

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), including policy 1.4.3 that requires that the City to plan for an appropriate mix of housing types and densities and permit, where appropriate "all forms of residential intensification, including additional residential units.";
- the recommended amendments will permit additional residential units in accordance with changes to the Planning Act made through the More

Homes Act; and,

- the recommended amendments align with City initiatives to increase housing supply, including affordable housing. This includes The City of London Housing Pledge that was approved by Council in February, 2023. (D04-2023)

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Franke

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Moved by: S. Franke

Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Moved by: S. Lewis

Seconded by: S. Hillier

Motion to add a new clause d) which reads as follows:

"d) the Civic Administration BE DIRECTED to undertake a review of the current parking and driveway width policies in additional residential units;"

Yeas: (3): S. Lehman, S. Lewis, and S. Hillier

Nays: (1): S. Franke

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (3 to 1)

3.5 327 Thompson Road (Z-9579)

Moved by: S. Franke

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 Emvy Group Inc., relating to the property located at 327 Thompson Road:

- a) the proposed by-law appended to the staff report dated May 23, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be

held on June 6, 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 R2 (R2-2) Zone TO a Residential R3 Special Provision (R3-1(*)) Zone and a Residential R3 Special Provision (R3-1(**)) Zone; and,

b) pursuant to Section 34(17) of the *Planning Act, R.S.O. 1990, c. P.13*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law;

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

- N Dyjack, Strik Baldinelli Moniz Ltd.;

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 Key Directions and the Neighbourhoods Place Type; and,
- the recommended amendment facilitates the development of a vacant site within the Built-Area Boundary and Primary Transit Area with an appropriate form of infill development. (D04-2023)

Yeas: (3): S. Lehman, S. Franke, and S. Hillier

Absent: (3): S. Lewis, A. Hopkins , and Mayor J. Morgan

Motion Passed (3 to 0)

Moved by: S. Franke

Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (3): S. Lehman, S. Franke, and S. Hillier

Absent: (3): S. Lewis, A. Hopkins , and Mayor J. Morgan

Motion Passed (3 to 0)

Moved by: S. Franke

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (3): S. Lehman, S. Franke, and S. Hillier

Absent: (3): S. Lewis, A. Hopkins , and Mayor J. Morgan

Motion Passed (3 to 0)

3.6 644-646 Huron Street (OZ-9580)

Moved by: S. Lewis

Seconded by: S. Franke

That, notwithstanding the recommendation of the Director, Planning and Development, the following actions be taken with respect to the

application of 2614442 Ontario Inc. relating to the property located at 644-646 Huron Street:

a) the attached, revised, proposed by-law to amend the Official Plan or the City of London, 2016 by ADDING a new policy to the Specific Policies for the Neighbourhoods Place Type and by ADDING the subject lands to Map 7 – Specific Policies Areas – of the Official Plan, BE APPROVED;

b) the attached, revised, proposed by-law to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Holding Residential R9 Special Provision (h-5*R9-3(14)*H13) Zone, TO a Residential R8 Special Provision (R8-4(_)) Zone, BE APPROVED;

c) the Site Plan Control Approval Authority BE REQUESTED to consider the following design issues through the site plan control approval process:

i) the recommendations of the Noise Study be implemented;

ii) provide a centrally located and adequately sized outdoor amenity space;

iii) a building design that differentiates the ground floor through the use of pedestrian-scaled elements such as but not limited to, canopies and lighting, alternate window sizes/placement than the floors above;

iv) a building design that breaks up the perceived mass of the building through façade articulation (recesses and projections), appropriately scaled windows, the use of high quality materials, and appropriate roof forms and pitches;

v) differentiate the main building entrance from ground floor units;

vi) investigation by the applicant into whether the Reid Drain storm sewer crossing the property is still active. If active, the Site Plan Control Authority will work with the applicant to consider the possibility of the sewer being re-routed around the building, or alternatively, connected to a storm sewer on the municipal road allowance of sufficient capacity, all to the satisfaction of the City Engineer;

vii) inclusion of a functional layby on site in accordance with the Site Plan Control By-law;

viii) consent to remove any boundary trees is required prior to final Site Plan Approval; and,

ix) consultation with the Municipal Housing Development division for the provision of two (2) or more affordable units be undertaken as part of the Site Plan process;

d) the Civic Administration, including but not limited to the staff of the Municipal Housing Development team, BE DIRECTED to work with the applicant to provide for affordable housing units in the above-noted proposed development;

it being noted that any such units could be a part of the Roadmap to 3,000 Affordable Units, as well as assist with Council's Strategic focus to increase access to a range of quality affordable house options; and,

e) pursuant to Section 34(17) of the *Planning Act, R.S.O. 1990, c. P.13*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the recommended by-law;

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

- a communication dated May 18, 2023, from H. Froussios, Zelinka Priamo Ltd.;

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

- H. Froussios, Zelinka Priamo Ltd.; and,
- Y. Lavie.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Franke

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Moved by: S. Lewis

Seconded by: S. Franke

Motion to close the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

3.7 1120-1126 Oxford Street East and 2 & 6 Clemens Street (Z-9560)

Moved by: S. Franke

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 2863382 Ontario Inc. c/o Royal Premier Developments, relating to the properties located at 1120-1126 Oxford Street East and 2 and 6 Clemens Street:

- a) consistent with Policy 43_1 of the Official Plan for the City of London, 2016, a portion of the subject lands, representing 2 and 6 Clemens Street, BE INTERPRETED to be located within the Urban Corridor Place Type; and,
- b) the proposed by-law appended to the staff report dated May 23, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 6, 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 R2/Office Conversion (R2-2/OC5) Zone and a Residential R1 (R1-6) Zone TO a Residential R9 Special Provision (R9-7(_)*H34) 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 adequate outdoor amenity space, either at grade or through a combination of at grade amenity space and roof top terrace(s);
- ii) differentiate the main building entrance from ground floor units;
- iii) provide a functional layby on site in accordance with the Site Plan

Control By-law;

- iv) consent to remove any boundary trees is required prior to final Site Plan Approval;
- v) execution of the lane closure and the provision of a public access easement/easement agreement should be coordinated to occur prior to final Site Plan Approval;
- vi) at the time of Site Plan Approval, the building design is to be similar to that which was considered at the time of the Zoning By-law Amendment application; and,
- vii) any future Site Plan application for the subject site BE CONSIDERED by the Urban Design Peer Review Panel;

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

- a project fact sheet from M. Davis, siv-ik planning / design;

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

- J. Smolarek, siv-ik planning / design;
- M. Toth;
- D. Van Boxmeer;

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 the Key Directions, City Building policies, and the Urban Corridor Place Type policies;
- the recommended amendment would permit development at a transitional scale and intensity that is appropriate for the site and the surrounding neighbourhood; and,
- 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 that is geared towards the intent, and growth, of the Urban Corridor Place Type. (D04-2023)

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Franke

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Moved by: S. Franke
Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

3.8 129-131 Base Line Road West (Z-9578)

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

That, notwithstanding the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by 2796538 Ontario Inc. c/o RPH Developments, relating to the properties located at 129-131 Base Line Road West:

a) the attached, revised, proposed by-law as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 6, 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*H32) Zone TO a Holding Residential R9 Special Provision (h*R9-7(_)*H51) Zone;

b) the Site Plan Approval Authority BE REQUESTED to consider the following issues for 129-131 Base Line Road West through the site plan review process:

- i) a Water Capacity Analysis shall be submitted with the first submission of site plan;
- ii) ensure a 3 metre planting area for trees between the property edge and the edge of the parking garage to provide full protection to any boundary trees and critical root zones; and,
- iii) additional landscaping and/or setbacks will be required to address the removal of the watercourse;

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

- a communication dated May 17, 2023 from H. Froussios, Zelinka Priamo Ltd.;

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

- H. Froussios, Zelinka Priamo Ltd.; and,
- ;

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 to Zoning By-law Z.-1 conforms to the in-force policies of the Official Plan for the City of London, 2016, including, but not limited to the High Density Residential Overlay, the

Neighbourhoods Place Type, City Building and Design, Our Tools, and all other applicable policies in the Official Plan for the City of London, 2016; and,

- the recommended amendment facilitates the development of a site within the Primary Transit Area and Built-Area Boundary with an appropriate form of new development. (D04-2023)

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Lewis

Seconded by: S. Hillier

Motion to separate clause a) from the recommendation to be voted on separately:

"a) the revised, attached, proposed by-law appended to the staff report dated May 23, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting on June 6, 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*H32) Zone TO a Holding Residential R9 Special Provision (h*R9-7()*H51) Zone;"

Yeas: (3): S. Lewis, S. Franke, and S. Hillier

Nays: (1): S. Lehman

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (3 to 1)

Moved by: S. Franke

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

Moved by: S. Franke

Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 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 related to 1140 Fanshawe Park Road East at the Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

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

Absent: (2): A. Hopkins , and Mayor J. Morgan

Motion Passed (4 to 0)

The Planning and Environment Committee convened, in Closed Session, from 7:15 PM to 7:35 PM.

7. Adjournment

The meeting adjourned at 7:38 PM.