

Planning and Environment Committee

Report

12th Meeting of the Planning and Environment Committee
July 17, 2023

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

ABSENT: Mayor J. Morgan

ALSO PRESENT: Councillors P. Cuddy, S. Stevenson, J. Pribil and D. Ferreira; M. Corby, A. Curtis, K. Edwards, D. Escobar, M. Greguol, B. House, K. Huckabone, M. Hynes, P. Kavcic, T. Macbeth, C. Maton, H. McNeely, B. O'Hagan, B. Page, N. Pasato, M. Pease, S. Tatavarti, S. Wise and J. Yanchula

Remote attendance: Councillors S. Trosow, and C. Rahman; I. Abushehada, M. Clark, S. Meksula, L Mottram, A. Patel, A. Riley, B. Westlake-Power, K. Wilding and P. Yeoman

The meeting is called to order at 4:03 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. Franke

That Items 2.1 to 2.5, inclusive, 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 7th Report of the Ecological Community Advisory Committee

Moved by: A. Hopkins

Seconded by: S. Franke

That the following actions be taken with respect to the 7th Report of the Ecological Community Advisory Committee, from its meeting held on June 15, 2023:

a) the Working Group comments relating to the property located at 1176 Crumlin Sideroad BE FORWARDED to the Civic Administration consideration;

b) the Working Group comments relating to Kensington Bridge BE FORWARDED to the Civic Administration for consideration;

c) the Civic Administration BE REQUESTED to provide the Ecological Community Advisory Committee (ECAC) with the existing definitions of the OS4 and OS5 Zones as these zones relate to environmentally significant areas when the staff presentation is to be heard; it being noted that the Notice of Planning Application dated June 5, 2023, relating to the Notice of

Application – ReThink Zoning, was received; it being further noted that the Civic Administration will provide a presentation on this matter at a future ECAC meeting;

d) the Committee Clerk BE DIRECTED to send a communication to S. Miklosi indicating that attendance has been an issue and that, unless the City Clerk is provided a reason for the extended absence, the Ecological Community Advisory Committee will be asking the Planning and Environment Committee to rescind the appointment; and,

e) clauses 1.1, 3.1 to 3.4, inclusive, 4.2, 4.3, 5.1 to 5.3, inclusive and clause 5.5 BE RECEIVED for information.

Motion Passed

2.2 Byron Gravel Pit Secondary Plan - Draft Preferred Land Use Plan

Moved by: A. Hopkins

Seconded by: S. Franke

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to draft Byron Gravel Pits Secondary Plan:

a) the Civic Administration BE DIRECTED to commence a public engagement process to gather further community and partner feedback;

it being noted that the feedback received through this consultation process, and the outcome of supporting studies will inform the Final Byron Gravel Pits Secondary Plan and implementing an Official Plan Amendment that will be prepared for the consideration and approval at future Planning and Environment Committee and Council meetings; and,

b) the draft Byron Gravel Pits Secondary Plan appended to the staff report dated July 17, 2023 as Appendix "A" BE RECEIVED for information;

it being noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2032-D05)

Motion Passed

2.3 Proposed Amendments to the Business Improvement Area By-laws

Moved by: A. Hopkins

Seconded by: S. Franke

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to proposed amendments to the existing Business Improvement Area by-laws:

a) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 25, 2023, to amend By-law No. A.-6873-292, Argyle Business Improvement Association Board of Management By-law;

b) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on July 25, 2023, to amend By-law No. CP-2, The London Downtown Business Association Improvement Area By-law;

c) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on July 25, 2023, to amend By-law No. C.P.-1528-486, A by-law to designate an area as an improvement area and to establish the board of management for the purposes of managing the Hamilton Road Business Improvement Area;

d) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "D" BE INTRODUCED at the Municipal Council meeting to be held on July 25, 2023, to amend By-law No. C.P.-1519(a)-11, Hyde Park Business Improvement Association Board of Management By-law; and,

e) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "E" BE INTRODUCED at the Municipal Council meeting to be held on July 25, 2023, to amend By-law No. CP-1, Old East Village Business Improvement Area By-law;

it being noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-C01)

Motion Passed

2.4 Application for Exemption from Part Lot Control - 1525 Chickadee Trail

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

That, on the recommendation of the Director, Planning and Development, with respect to the application by Jaime Crncich (2555212 Ontario Ltd. o/a Magnus Homes), for lands located at 1525 Chickadee Trail, the proposed by-law appended to the staff report dated July 17, 2023 as included on the Planning and Environment Committee Added Agenda BE INTRODUCED at the Municipal Council meeting to be held on July 25, 2023 to exempt part of Block 70 Registered Plan 33M-814, more particularly described as Parts 1 to 12, inclusive, on Plan 33R-21649, from the Part Lot Control provisions of subsection 50(5) of the *Planning Act*, for a period not to exceed three (3) years;

it being noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D25)

Motion Passed

2.5 Building Division Monthly Report - April, 2023

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

That the Building Division monthly report for the month of April, 2023 BE RECEIVED for information. (2023-A23)

Motion Passed

3. Scheduled Items

3.1 Request to Remove the Properties at 2 & 3 Kennon Place from the Register of Cultural Heritage Resources

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

That, on the recommendation of the Director, Planning and Development, the properties located at 2 Kennon Place and 3 Kennon Place BE REMOVED from the Register of Cultural Heritage Resources;

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

it being further noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-R01)

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. Hillier

Motion to close the public participation meeting.

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

Absent: (2): S. Franke, and Mayor J. Morgan

Motion Passed (4 to 0)

3.2 Request to Remove the Property at 689 Hamilton Road from the Register of Cultural Heritage Resources

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

That, on the recommendation of the Director, Planning and Development, the property located at 689 Hamilton Road BE REMOVED from the Register of Cultural Resources;

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

it being further noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into

consideration by Council as part of its deliberations and final decision regarding these matters. (2023-R01)

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 1474 Kilally Road (Z-9605)

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 the application by 1216571 Ontario Incorporated, relating to the property located at 1474 Kilally Road:

- a) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 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 Residential R1 (R1-6) Zone TO a Residential R5 Special Provision (R5-4()) Zone; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - i) at the time of Site Plan Approval, the building design and site layout is to be similar to that which was considered at the time of the Zoning By-law Amendment Application;
 - ii) recommendations of the Geotech analysis toe of slope and top of slope be implemented through the Site Plan Approval process; and,
 - iii) ensure enhanced tree planting is provided;

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

- the Project Summary from J. Smolarek, Siv-ik Planning and Design;

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

- J. Smolarek, Siv-ik Planning and Design;

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 London Plan, including but not limited to the Key Directions, City Design and 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;
- the recommended amendment facilitates an infill development on an underutilized site and provides a broader range and mix of housing options within the area; and,

it being also noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D14)

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)

3.4 165-167 Egerton Street (Z-9608)

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 the application by Elgin Contracting & Restoration, relating to the properties located at 165-167 Egerton Street:

- a) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 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 Residential R2 (R2-2) Zone TO a Residential R5 Special Provision (R5-5()) Zone; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - i) consent to remove any boundary trees is required prior to final Site Plan Approval;
 - ii) fencing and/or landscaping be provided along the perimeter of the site to ensure adequate buffering is maintained between the subject lands and adjacent properties;
 - iii) details surrounding garbage storage and collection be finalized;
 - iv) 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,
 - v) staff be directed to discuss short-term bicycle parking;

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

- N. Dyjach, Strik Baldinelli Moniz 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;
- the recommended amendment conforms to The London Plan, including, but not limited to the Neighbourhoods Place Type and Key Directions;
- the recommended amendment facilitates the development of an underutilized site within the Built Area Boundary and Primary Transit Area with an appropriate form of infill development that provides choice and diversity in housing options; and,

it being further noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters (2023-D14)

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. 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)

3.5 146 Exeter Road (39T-22502)

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by 1103125 Ontario Inc., relating to the lands located at 146 Exeter Road (Richardson North Subdivision):

- a) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 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 an Urban Reserve (UR6) Zone and Holding Light Industrial (h-17*LI3) Zone TO a Holding Residential R1 Special Provision R1 (h*h-100*R1-13(7)), Holding Residential Special Provision R4 (h*h-100*h-198*R4-4(2)), Holding Residential Special Provision R5/R6 (h*h-100*h-198*R5-4()/R6-5()), Holding Restricted Service Commercial Special Provision/ Arterial Commercial Special Provision h/RSC1/RSC2()/RSC3(16)/RSC4(14)/RSC5(16)/(AC4()), Open Space (OS1), Open Space (OS5), Open Space Special Provision (OS5()) and Urban Reserve (UR4) Zone on the proposed Draft Plan of Subdivision;
- b) the Approval Authority BE ADVISED that the following issues were raised through the application review process for the property located at 146 Exeter Road:
 - i) concerns with the single-family home sprawl as that area as has 20% fewer units than the medium density area but takes up nearly twice as much space;
 - ii) believing this is an inefficient use of space;
 - iii) indicating that sprawl incentivizes driving and disincentivizes active and public transit;
 - iv) believing that sprawl costs the City more money to maintain and service;
 - v) indicating that sprawl is financially unsustainable;

- vi) indicating that the staff report indicates that green space is provided as the focal point and central gathering area; noting there are two greenspaces at opposite ends;
- vii) advising that the greenspace at the top is Open Space 5 where a park cannot be established and the Open Space 1 greenspace is down near the single family homes where there are backyards;
- viii) stating that there is a park in the neighbouring community which is good for anyone who does not have to cross Bradley Avenue; noting that the residents in the medium density area who want to go to a park with a playground will have to cross four lanes of traffic;
- ix) pointing out that the nearest higher priced grocery store is a twenty-two-to-twenty-seven-minute walk and the nearest budget grocery store is a thirty-one to thirty-seven minute walk along Wonderland Road;
- x) wondering what indoor bicycle parking will be provided for the medium density units who do not own garages; noting that they have lived in a building without proper bicycle storage and it is a very big disincentive to try to bicycle anywhere;
- xi) providing bike paths is great but consideration needs to be given to where people can store their bikes when at home;
- xii) believing that if the single-family units were to be replaced with more dense options such as townhouses, three storey walk ups, mixed use buildings, it would increase the number of homes in this area;
- xiii) requesting a review of the major road alignment; and,
- xiv) indicating that there is not a central gathering point in the development and if the development was denser, there could be a gathering space in the middle of the development;

c) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by 1103125 Ontario Inc., (File No. 39T-22502), prepared by Monteith Brown Planning Consultants, Project No. 20-20801, dated May 18, 2022, which shows 307 single detached lots; sixteen (16) low density townhouse blocks, four (4) medium density residential blocks; one (1) commercial block; (2) open space/drainage blocks; twelve (12) road widening and reserve blocks, serviced by six (6) new local streets (Street Q, R, S, T, U and V), SUBJECT TO the conditions appended to the staff report dated July 17, 2023 as Appendix “B”;

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

- J. McGuffin, Monteith Brown Planning Consultants; and,
- J. Lalonde;

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

- the proposed amendments and plan are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents;
- the proposed zoning amendments conform to The London Plan and the Southwest Area Plan;
- the related plan of subdivision, under review by the Approval Authority, supports a broad range of low and medium density residential development opportunities within the site including more intensive, mid-rise apartments and townhouses along the Bradley Avenue West corridor and commercial/industrial uses along Wharncliffe Road South. The red-lined Draft Plan has been designed to support these uses and to achieve

a visually pleasing development that is pedestrian friendly, transit supportive and accessible to the surrounding community; and,

it being further noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D14)

Motion Passed

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: 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)

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

Motion to approve the Residential R1 Special Provision R1 (R1-13(7)) in part a)

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

That, pursuant to section 35.8 of the Council Procedure By-law, the reconsideration of the motion related to the approval of the R1 Special Provision 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)

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

Motion to approve the Residential R1 Special Provision R1 (R1-13(7)) in part a).

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

Nays: (1): S. Franke

Absent: (1): Mayor J. Morgan

Motion Passed (4 to 1)

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

Motion to approve the remainder of the clauses, parts b) and c).

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.6 725, 729, 735, 737 Dundas Street, 389, 391, 393 Hewitt Street, a portion of 700 King Street, 400 Lyle Street and Other Properties (SPA22-057)

Moved by: A. Hopkins
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 East Village Holdings Limited, relating to the property located at 725-735 Dundas Street, 389-393 Hewitt Street, a portion of 700 King Street, 400 Lyle Street and other properties:

- a) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a mixed-use, 24-storey apartment building:
 - i) enquiring about the Unity Project access to the garbage which is historically and grandfathered into the previous development agreement for the site;
 - ii) wondering where the Unity Project access door is located; is it possible to keep the access door where it is currently located;
 - iii) enquiring whether or not the Unity Project will have access to the driveway during construction;
 - iv) requesting the removal of the non-conforming use parking lot and the inclusion of the pedestrian walkway that appears in Appendix "A" in section 4.2;
 - v) wondering what assurances city staff can provide that the parking lot removal and the pedestrian walkway development will be done in this phase of the development;
 - vi) advising that the current garbage location is not secured and personal garbage and large furniture is strewn around the site;
 - vii) asking if staff can explain if the existing system noted in 4.3 will still be used once this new building is rented and more clearly outline where additional garbage will be stored and managed;
 - viii) requesting that the issues that have already been identified in the staff report are dealt with at the same time as the current process;
 - ix) advising that there is limited greenspace in the area and wondering if more trees can be planted as a number have been removed to facilitate rapid transit; and,

- x) wondering if commercial development will be occurring on Hewitt Street; and,
- b) the Approval Authority BE ADVISED that the Municipal Council does not have any issues with respect to the Site Plan Application, and that the Council supports the Site Plan Application;

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

- A. Brown, Stantec Consulting;
- S. Langer, Unity Project;
- J. Pastorius, Old East Village Business Improvement Area;
- F. Felice;
- S. Merritt;
- AM Valastro; and,
- Y. Somalingam;

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

- the proposed Site Plan is consistent with the PPS 2020, which directs growth to settlement areas and enhancing main streets;
- the proposed Site Plan conforms to The London Plan, and the Old East Village Dundas Street Corridor Secondary Plan including, but not limited to the policies of the Old East Village Core and King Street Character Areas;
- the proposed Site Plan complies with the regulations of the Z.-1 Zoning By-law;
- the proposed Site Plan meets the requirements of the Site Plan Control Area By-law; and,

it being further noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D04/D02)

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: 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)

3.7 159 Clarke Road and 1900 and 1902 Trafalgar Street (Z-9604)

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 2323225 Ontario Inc. c/o Candevcon Limited, relating to the property located at 1900-1902 Trafalgar Street and 159 Clarke Road:

- a) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 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 Residential R3 (R3-2) and Convenience Commercial (CC3) Zone, TO a Special Provision Neighbourhood Shopping Area (NSA3(_)) Zone; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the following items through the site plan process:
 - i) fencing and/or landscaping be provided along the perimeter of the site to ensure adequate buffering maintained between the subject lands and adjacent residential properties; and,
 - ii) reduce parking to provide space for outdoor amenity areas at the rear of the building, as well to incorporate landscape islands, drive aisles and to facilitate on-site maneuvering;

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 London Plan, including, but not limited to the Neighbourhoods Place Type and Key Directions;
- the recommended amendment facilitates the development of an underutilized site within the Built Area Boundary and Primary Transit Area with an appropriate form of infill development that provides choice and diversity in housing options; and,

it being also noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D14)

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. 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)

3.8 38 Exeter Road (Z-9582)

Moved by: A. Hopkins

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 Strik, Baldinelli, Moniz Ltd., on behalf of 13709159 Canada Inc. (c/o Dr. Raj Khanuja), relating to the property located at 38 Exeter Road:

a) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 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 Restricted Service Commercial (h-17*RSC1/RSC4) Zone TO a Neighbourhood Shopping Area Special Provision (NSA4()) Zone; 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;

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

- S. Rasanu, Strik Baldinelli Moniz 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 (PPS), which encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1.(a));
- the recommended amendment conforms to The London Plan, including but not limited to the Key Directions, City Design and Building policies, and the Shopping Area Place Type policies;
- the recommended amendment conforms to the Wonderland Road Community Enterprise Corridor policies in the Southwest Area Plan (SWAP);
- the recommended amendment facilitates the development of a vacant site with a within the Built-Area Boundary with an appropriate form of development; and,

it being further noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D14)

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. 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)

3.9 46 Elmwood Place (Z-9583)

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 the application by Zelinka Priamo Ltd on behalf of Veranda Property Investments Inc., relating to the property located at 46 Elmwood Place:

- a) the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 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 Community Facility (CF3) Zone TO a Residential R8 Special Provision (R8-4(*)) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - i) ensure the minimum standards for the site plan control by-laws are addressed regarding, walkways and fire route design;
 - ii) ensure that there is an adequate amount of amenity space for the anticipated number of residents;
 - iii) provide easily accessible temporary bicycle parking facilities on-site;
 - iv) incorporate landscape areas for screening, visual amenity, and to assist with stormwater management and reduce the heat island effect throughout the parking lot; and,

v) provide an Environmental Management Plan to address protection of the Coves ESA, Restoration Plan for the area of parking lot removal and installation of chain link fence to prevent encroachment into the ESA; and,

c) 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;

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 individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- C. Kulchycki, Zelinka Priamo Ltd.; and,
- M. Balch;

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 London Plan, including but not limited to the Key Directions, City Design and Building policies, and the Neighbourhoods Place Type policies;
- the recommended amendment facilitates the development of a site with a vacant building within the Built-Area Boundary and Primary Transit Area with an appropriate form of infill development; and,

it being also noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D14)

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)

3.10 599-601 Richmond Street (Z-9607)

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

That, notwithstanding the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Westdell Development Corporation, relating to the property located at 599-601 Richmond Street:

- a) the proposed attached by-law BE INTRODUCED at the Municipal Council meeting to be held on July 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 lands FROM a Business District Commercial Special Provision Bonus Zone (BDC(1)*B-87) Zone TO a Business District Commercial Special Provision (BDC(_)) Zone; and,
- b) 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 housing options;

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

- the staff presentation;
- a communication dated July 8, 2023, from C. Butler;
- a communication dated July 13, 2023, from I. Meddoui President, Westdell Development; and,
- a communication from A.M. Valastro;

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

- M. Poddar, Westdell Development Corporation; and,
- A.M. Valastro, North Talbot Community Association;
- P. Cullimore; and,
- G. Mitsis;

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

- consistent with the Provincial Policy Statement, 2020;
- conforms to the in-force policies of the Official Plan for the City of London, 2016, including, but not limited to the Rapid Transit Corridor Place Type, City Building Policies, Our Tools, and all other applicable policies in the Official Plan for the City of London, 2016;

- facilitates the development of a site within the Built-Area Boundary with an appropriate form of new development; and,

it being also noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D14)

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

Nays: (1): A. Hopkins

Absent: (1): Mayor J. Morgan

Motion Passed (4 to 1)

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: 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)

4. Items for Direction

4.1 Comprehensive Review of The London Plan Update (O-9595)

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 Comprehensive Review of The London Plan:

- a) the Civic Administration BE DIRECTED to close the Section 26 Comprehensive Review file;
- b) the Civic Administration BE DIRECTED to continue work related to the Land Needs Assessment background analysis to inform future recommendations related to housing and non-residential demand and the supply of developable lands;
- c) the Civic Administration BE DIRECTED to circulate the staff report dated July 17, 2023 to interested parties for consideration of potential conversion of employment lands from an Industrial Place Type to another Urban Place Type in The London Plan; and,

d) the above-noted staff report BE RECEIVED for information;

it being noted that a revised Terms of Reference for the amendment application to review The London Plan will be presented to a future meeting of Council, following Provincial approval of a new Provincial Planning Statement policy framework;

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

- the staff presentation;
- a request for delegation status dated July 12, 2023, from M. Wallace, London Development Institute;
- a communication dated July 13, 2023, from J. Fleming, City Planning Solutions, on behalf of 1803299 Ontario Inc.;
- a communication dated July 10, 2023, from S. Copp, Copp Realty Corp.;
- a communication from A. Soufan, York Developments;
- a communication from C. Brekelmans, C-Cubed Holdings; and,
- a communication from J. Fleming, City Planning Solutions, on behalf of C.-Cubed Holdings;

it being also noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-C08)

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 approve the request for delegation status from M. Wallace with respect to the update on the Comprehensive Review of 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)

4.2 221 Queens Avenue - Temporary Zoning By-law Amendment (TZ-9598)

Moved by: S. Lewis

Seconded by: S. Hillier

That, notwithstanding the recommendation of the Director, Planning and Development and on the direction of Planning and Environment Committee, based on the application by Sifton Properties Limited, relating to the property located at 221 Queens Avenue, the proposed by-law appended to the staff report dated July 17, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 25, 2023, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016), by extending the Temporary Use (T-69) Zone for a period not exceeding three (3) years;

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

- the revised staff report;
- a request for delegation status dated July 13, 2023, from A. Haasen, Sifton Properties Limited; and,
- the draft conceptual landscape enhancement plan;

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

- that in the opinion of Council, the recommended amendment is in conformity with the in-force policies of The London Plan, including but not limited to the Temporary Use Provisions policies contained in Our Tools;
- the request to extend the temporary zone for a period of three (3) years, representing the maximum extension permitted. If upon expiration of the Temporary (T-69) Zone, there must be an enhanced landscaped plan incorporated with the next extension application. The owner is advised that no extensions to the Temporary (T-69) Zone shall be granted without the submission of an enhanced landscaped plan; and,

it being also noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-D14)

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

Nays: (1): S. Franke

Absent: (1): Mayor J. Morgan

Motion Passed (4 to 1)

Additional Votes:

Moved by: S. Lewis

Seconded by: S. Hillier

Motion to approve the request for delegation status from A. Haasen, Sifton Properties Limited, with respect to the application by Sifton Properties Limited, relating to 221 Queens Avenue.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

4.3 39 Carfrae Street - Application Pursuant to Heritage Easement Agreement

That the following actions be taken with respect to the application pursuant to the Heritage Easement Agreement under Section 37, *Ontario Heritage Act*, for the property located at 39 Carfrae Street:

- a) the Civic Administration BE DIRECTED to work with the applicant to resolve outstanding concerns with Schedule "C" and Schedule "D" of the Heritage Easement Agreement and bring back an update within 6 months on the status; it being noted that staff are directed to suspend enforcement measures on the existing fireplace matters until further direction from Council on the Heritage Easement Agreement; and,

b) the heritage alteration application to install asphalt shingles or an alternate composite material for the roof replacement of the property located at 39 Carfrae Street BE APPROVED;

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

- a request for delegation status dated July 8, 2023 from J. Gard;
 - The Ontario Cottage Tour, October 1, 2000;
 - a communication from B.L. Hiddleston, Hon. Archivist and Historian to The Queen Elizabeth Castle of Mey Trust relating to the Thistle Finial;
 - Carfrae Notes dated October 4, 1987;
 - a request for delegation status dated July 13, 2023, from G. Hodder;
 - a communication dated July 13, 2023 from W. Kinghorn, President, ACO London Region Branch; and,
 - a request for delegation status dated July 14, 2023 from J.H. Beck;
- and,

it being further noted that any and all oral and written submissions from the public related to this application have been, on balance, taken into consideration by Council as part of its deliberations and final decision regarding these matters. (2023-R01)

Motion Passed

Additional Votes:

Moved by: S. Franke

Seconded by: A. Hopkins

Motion to approve the request for delegation status from J. Gard, G. Hodder and H. Beck with respect to the application by J. Gard relating to the property located at 39 Carfrae Street.

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. Hillier

That the motion BE AMENDED to include the following, as a new part b)

b) that the heritage alteration application to install asphalt shingles or an alternate composite material for the roof replacement of the property located at 39 Carfrae Street BE APPROVED.

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

Nays: (2): A. Hopkins , and S. Franke

Absent: (1): Mayor J. Morgan

Motion Passed (3 to 2)

Moved by: S. Franke

Seconded by: A. Hopkins

Motion to approve part a) of the amended motion as follows:

a) motion to direct staff to work with the applicant to resolve outstanding concerns with Schedule “C” and Schedule “D” of the Heritage Easement Agreement and bring back an update within 6 months on the status. It being noted that staff are directed to suspend enforcement measures on the existing fireplace matters until further direction from Council on the Heritage Easement Agreement.

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. Hillier

Motion to approve part b) of the amended motion as follows:

b) that the heritage alteration application to install asphalt shingles or an alternate composite material for the roof replacement of the property located at 39 Carfrae Street BE APPROVED.

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

Nays: (2): A. Hopkins , and S. Franke

Absent: (1): Mayor J. Morgan

Motion Passed (3 to 2)

5. Deferred Matters/Additional Business

5.1 (ADDED) 8th Report of the Community Advisory on Planning

Moved by: A. Hopkins

Seconded by: S. Lewis

That, the following actions be taken with respect to the 8th Report of the Community Advisory Committee on Planning, from its meeting held on July 12, 2023:

a) the following actions be taken with respect to the Notice of Application, dated June 14, 2023, from S. Wise, Senior Planner, with respect to Official Plan and Zoning By-law Amendments related to the property located at 50 King Street and 399 Ridout Street North:

i) a Working Group BE CREATED to review the above-noted Application and the Heritage Impact Assessment Phase II, dated March 10, 2023, from York Developments, and report back to the August meeting of the Community Advisory Committee on Planning (CACP); and,
ii) the applicant for this matter BE INVITED to the August meeting of the CACP for a discussion related to this application; it being noted that the above-noted Notice of Application and Heritage Impact Assessment Phase II, were received with respect to this matter; and,

b) clauses 1.1, 3.1 to 3.3, inclusive, 4.1, 5.1 to 5.4, inclusive, and 6.1 BE RECEIVED for information.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 9:28 PM.

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 599-
601 Richmond Street

WHEREAS Westdell Development Corporation has applied to rezone an area of land located at 599-601 Richmond Street, as shown on the map attached to this by-law, as set out below;

WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 599-601 Richmond Street, as shown on the attached map comprising part of Key Map No. A107, from a Business District Commercial Special Provision Bonus Zone (BDC(1)*B-87) Zone to another Business District Commercial Special Provision (BDC(_)) Zone;
- 2) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:

BDC(_) 599-601 Richmond Street

a) Permitted Uses:

- i) Any use permitted in the BDC2 Zone variation.

b) Regulations:

- | | |
|----------------------------------|---|
| i) Lot Frontage
(Minimum) | 3 metres (9.8 feet) |
| ii) Rear Yard Depth
(Minimum) | 4.4 metres (14.4 feet) |
| iii) Lot Coverage
(Maximum) | 91% |
| iv) Height
(Maximum) | the lesser of 39.0 metres,
or 12 storeys |
| v) Density
(Maximum) | 810 units per hectare |

- 3) This Amendment shall come into effect in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

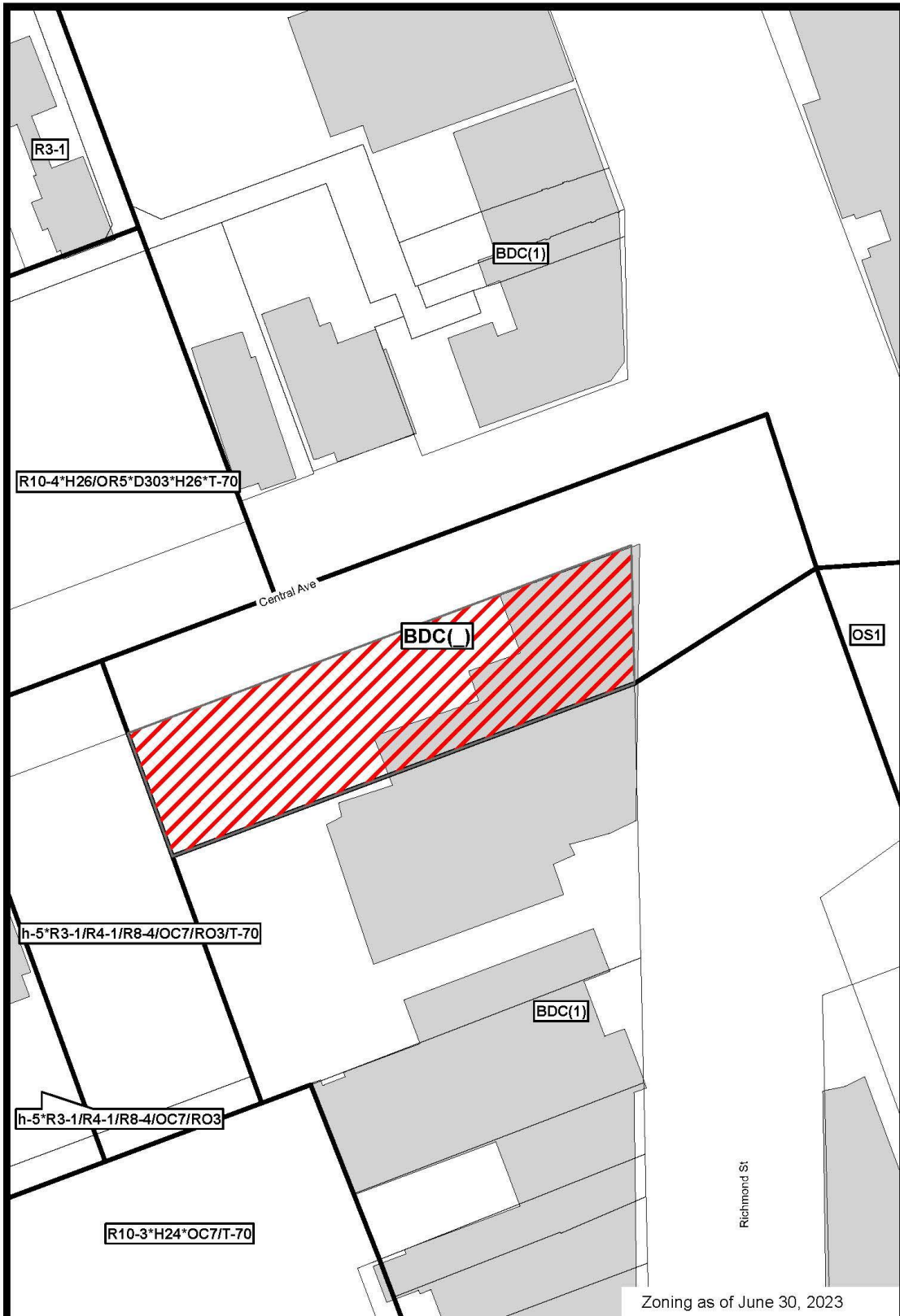
PASSED in Open Council on July 25, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – July 25, 2023
Second Reading – July 25, 2023
Third Reading – July 25, 2023

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



File Number: PEC item 3.10

Planner: NP

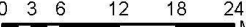
Date Prepared: 2023/07/17

Technician: JI

By-Law No: Z-1-

SUBJECT SITE 

1:600

0 3 6 12 18 24 Meters 



Zoning as of June 30, 2023