

Planning and Environment Committee

Report

18th Meeting of the Planning and Environment Committee
November 13, 2023

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

ABSENT: Mayor J. Morgan

ALSO PRESENT: Councillor J. Pribil, J. Adema, G. Bailey, C. Cernanec, M. Corby, M. Davenport, K. Edwards, K. Gonyou, B. House, P. Kavcic, H. Lysynski, S. Mathers, H. McNeely, K. Mitchener, B. O'Hagan, B. Page, N. Pasato, A. Patel, M. Pease, A. Riley, S. Tatavarti, J. Taylor and J. Yanchula

Remote Attendance: Councillors C. Rahman and D. Ferreira; D. Harpal, A. Hovius, P. Kokkoros, B. Lambert, J. MacKay and E. Skalski

The meeting is called to order at 4:01 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 and 2.2 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 Application for Brownfield CIP Incentives - 400 Southdale Road East

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

That, on the recommendation of the Director, Economic Services and Supports, the following actions be taken with respect to the application by LJM Developments (Halton Hills) Inc., relating to the property located at 400 Southdale Road East:

a) a total expenditure of up to a maximum of \$624,000 in municipal brownfield financial incentives BE APPROVED at the Municipal Council meeting to be held on November 28, 2023 and BE ALLOCATED in the Community Improvement Plan (CIP) for Brownfield Incentives ('Brownfield CIP');

i) APPROVAL BE GIVEN to provide a grant through the Development Charges Rebate Program for the eligible remediation costs, as follows:

A) if development charges are paid in one lump sum amount, the Development Charges Rebate grant will be issued in one instalment; and,
B) if development charges are paid annually over six years, the Development Charges Rebate grant will be issued in six annual instalments, noting that any interest charged by the City of London for deferred development charge payments is not included in the rebate; and,

b) the applicant BE REQUIRED to enter into an agreement with the City of London outlining the relevant terms and conditions for the incentives that have been approved by Municipal Council under the Brownfield CIP; the agreement between The Corporation of the City of London and LJM Developments (Halton Hills) Inc. will be transferable and binding on any subsequent property owner(s);

it being noted that no grants will be provided through the Brownfield CIP until:

- i) all remediation work approved under this application is finished;
- ii) the payment of development charges has begun;
- iii) a Record of Site Condition is filed with the Government of Ontario's Environmental Site Registry; and,
- iv) The Corporation of The City of London receives receipts showing the actual cost of the eligible remediation work;

it being acknowledged 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)

Motion Passed

2.2 Monthly Heritage Report - October 2023

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

That, the Monthly Heritage Report for October, 2023, BE RECEIVED for information. (2023-R01)

Motion Passed

3. Scheduled Items

3.1 6019 Hamlyn Street (Z-9654)

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

That, on the recommendation of the Director, Planning and Development, based on the application by Sifton Properties Ltd., relating to the property located at 6019 Hamlyn Street, the proposed by-law appended to the staff report dated November 13, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 28, 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 Residential R4/R5/R6/R7/R8 Special Provision (h*h-100*R4-3(2)*R5-7(18)*R6-5(74)*R7(29) *D75*H20*R8-4(62)) Zone with provisions for a maximum density of 75 units per hectare and a maximum height of 20 metres TO a Holding Residential R4/R5/R6/R7/R8 Special Provision (h*h-100*R4-3(2)*R5-7(18)*R6-5(74)*R7(29)*D100*H20*R8-4(_)) Zone with provision of a maximum density of 100 units per hectare and a maximum height of 20 metres;

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

- A. Haasen, Sifton Properties Limited;

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

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

it being acknowledged 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-D09)

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: 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)

3.2 Demolition Request and Heritage Alteration Permit - 187 Wharncliffe Road North (HAP23-074-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 approval for the demolition of the existing building and approval for a proposed new mixed use building comprised of office and residential, as described herein and shown in Appendix C, on the property at 187 Wharncliffe Road North, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- a) horizontal painted wood or fiber cement board be used for the exterior cladding of the proposed building, including the gable ends;
- b) painted wood doors be used on the north and west elevations of the proposed building;
- c) front (west) porch to feature panelled columns with cap and base details, and a painted wood railing/guard following EC-2 of SB-7, primed and painted;
- d) side (north) porch to feature panelled columns with cap and base details, primed and painted;
- e) front yard parking is prohibited;
- f) any signage for the proposed office use be limited to the small band above the west entrance and be indirectly illuminated by hanging light fixtures, as indicated on plans submitted;
- g) the Heritage Planner be circulated on the Building Permit application drawings to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit; and,
- h) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the Planning and Environment Committee received a communication dated October 25, 2023, from R. Annis, with respect to these matters;

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

- T. Dingman;

it being acknowledged 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. 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)

3.3 607 Queens Avenue (Z-9650)

Moved by: S. Franke

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by 1934643 Ontario Inc., c/o Zelinka Priamo Ltd., relating to the property located at 607 Queens Avenue, the proposed by-law appended to the staff report dated November 13, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 28, 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 /Office Conversion (R3-1/OC5) Zone TO a Residential R3 /Office Conversion Special Provision (R3-1/OC7(_)) Zone;

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

- L. Jamieson, 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 (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 recommended amendment conforms to The London Plan, including but not limited to the Key Directions, City Design and Building policies, and the Urban Corridor Place Type policies; and;
- the recommended amendment would permit a new land use that is considered appropriate within the surrounding context and will facilitate the adaptive reuse of the existing converted dwelling;

it being acknowledged 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)

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)

3.4 1990 Commissioners Road East and 2767 Doyle Drive (Z-9656)

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Lux Homes Design & Build, (c/o SBM Ltd.), relating to the property located at 1990 Commissioners Road East & 2767 Doyle Drive:

- a) the proposed by-law appended to the staff report dated November 13, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 28, 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 Special Provision (UR4(5)/UR4(7)) Zone, TO a Residential R5 Special Provision (R5-7(_)) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - i) shift Blocks 1 and 2 to the west and Block 3 to the east to centralize the buildings on the site;
 - 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 residential properties;
 - iii) additional tree plantings will be required to compensate for loss of trees;
 - iv) review short-term bicycle parking spaces allocated to the site;
 - v) landscaping to include at minimum 50% native species, with no invasive species planted; and,
 - vii) include a minimum of 5% EV charging spots;

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

- N. Dyjach, Strik Baldinelli Moniz; and,
- A. Johnson;

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; and,
- the recommended amendment facilitates the development of an underutilized site within the Built Area Boundary with an appropriate form of infill development that provides choice and diversity in housing options;

it being acknowledged 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-D09)

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

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Franke

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Lewis

Seconded by: S. Franke

Motion to close the public participation meeting.

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

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.5 978 Gainsborough Road (Z-9247)

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 by Highland Communities Ltd., relating to the property located at 978 Gainsborough Road:

- a) the request to amend the Official Plan, The London Plan, for the City of London by AMENDING a site-specific policy for the Neighbourhoods Place Type to allow a maximum density of 370 units per hectare and a maximum height of 17-storeys, BE APPROVED;
- b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands FROM a Holding Residential R9 Special Provision (h-

5.h-11.h-17. R9-7(17).H50) TO a Holding Residential R9 Special Provision (h-.h-5.h-11.h-110. R9-7().H60 Zone to permit the development of two, 17 storey residential apartment buildings interconnected by a 6-storey podium with a total of 481 residential units, BE APPROVED;

c) 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;

d) the Civic Administration BE DIRECTED to bring forward the required implementing by-laws to the November 28, 2023 Council meeting for approval;

e) 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 changes will not significantly alter the proposed development circulated in the Notice of Public Meeting; and,

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

i) include a highly visible and distinguishable principal building entrance for pedestrians on the north elevation. This entrance should be designed with architectural features such as transparent glazing, weather protection (such as canopies), signage and other architectural features that distinguish it as the principal building entrance;

ii) provide a safe and convenient pedestrian walkway from the public sidewalk on Gainsborough Road and the public sidewalk on the future Coronation Drive extension to the principal building entrance(s);

iii) consider locating the entrance(s) to the underground parking on the east and/or west elevations of the building as opposed to the north elevation to allow space for a central pedestrian access closer to the public street, to allow for more active uses on the front of the building, and to not have the parking garage entrance be the view terminus for the main access into site;

iv) consider providing individual unit entrances for the ground floor units along the 'service road' and include individual walkway access from each unit to the sidewalk along this street;

v) consider designing the proposed 'service road' to include pedestrian amenities such as landscaping, street furniture, human-scale lighting and sidewalks on both sides of the street;

vi) ensure that rooftop mechanical penthouses and equipment should be screened from view and/or incorporated into the overall building design;

vii) provide easily accessible temporary bicycle parking facilities on-site;

viii) confirm the location(s) of garbage pick-up and/or loading areas and ensure they are screened from view from public streets and/or pedestrian connections;

ix) provide fully dimensioned site plan and elevations for all sides of the proposed buildings;

x) landscaping to include at minimum 50% native species, with no invasive species planted;

xi) achieve a LEED certification or similar green standard; and,

xii) include a minimum of 5% EV charging spots (Mix of Level 1 and 2);

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

- H. Froussios, Zelinka Priamo Ltd.; and,
- M. Al Ashkar, Highland Communities;

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

- the application is consistent with the Provincial Policy Statement; and,
- the application is consistent with the neighbourhood character, with the appropriate holding provisions for servicing and easement requirements;

it being further noted that the applicant verbally indicated that in lieu of affordable housing units at 80% of AMR, a financial contribution of \$300,000 will be made toward Council's Roadmap to 3000 and Whole of Community Response at the completion of the Site Plan Approval process; it being noted that detailed information will be provided by the applicant prior to Council's final approval;

it being acknowledged 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)

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: S. Franke

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Lewis

Seconded by: 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)

3.6 200 Albert Street (Z-9561)

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 200 Albert London Incorporated, relating to the property located at 200 Albert Street:

- a) the proposed by-law appended to the staff report dated November 13, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 28, 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 R10/Office Conversion/Temporary (R10-3*H24/OC7/T-70) Zone TO a Residential R10 Special Provision (R10-3()*H56) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - i) provide a minimum transparent glazing on the lobby/vestibule of 50% abutting Albert Street;
 - ii) consider changes to the building design above the 7th storey to reduce the building width (north-south);
 - iii) provide a taller ground floor height to benefit the site from a streetscape activation perspective;
 - iv) incorporate alternative landscaping design to ensure adequate tree and vegetative plantings above the parking garage;
 - v) consider revisions to the layby to ensure safe and efficient vehicle movements; and,
 - vi) seek opportunities to provide additional step backs along all lot lines above the 3rd and 6th floor;
 - vii) landscaping to include at minimum 50% native species, with no invasive species planted;
 - viii) include a minimum of 5% EV charging spots;
 - ix) ensure the building is built to a minimum of Bronze LEED certification or similar green building standard;
 - x) ensure that at least 50% of the rooftop is green roof or solar; and,
 - xi) bird friendly design incorporated (lights point down and 90% of all glazing 5 storeys and below treated);

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

- D. Galbraith;
- M. Villemaire; and,
- A.M. Valastro;

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;
- the recommended amendment to Zoning By-law Z.-1 conforms to the in-force policies of The London Plan, including, but not limited to the Rapid Transit Corridor Place Type, City Building and Design, Our Tools, and all other applicable policies in The London Plan; and,
- the recommended amendment facilitates the development of a site within the Primary Transit Area and Built-Area Boundary with an appropriate form of infill development;

it being acknowledged 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)

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: 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

5.1 Deferred Matters List

Moved by: A. Hopkins

Seconded by: S. Lewis

That the Committee Clerk BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration. (2023-D09)

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

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

5.2 (ADDED) 12th Report of the Community Advisory Committee on Planning

Moved by: A. Hopkins

Seconded by: S. Lewis

That the 12th Report of the Community Advisory Committee on Planning, from its meeting held on November 8, 2023 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. (ADDED) Confidential (Enclosed for Members Only)

Moved by: A. Hopkins

Seconded by: S. Franke

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 2005 Kilally Road at the Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

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

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

The Planning and Environment Committee convened, in Closed Session, from 6:00 PM to 6:08 PM.

7. Adjournment

The meeting adjourned at 6:11 PM.