

# Planning and Environment Committee

## Report

4th Meeting of the Planning and Environment Committee  
February 21, 2024

PRESENT: S. Lewis, C. Rahman, S. Franke, S. Hillier, Mayor J. Morgan

ABSENT: Councillors S. Lehman (Chair)

ALSO PRESENT: Councillors S. Stevenson, J. Pribil and A. Hopkins; J. Adema, G. Bailey, M. Corby, I. de Ceuster, A. Curtis, K. Edwards, M. Feldberg, K. Gonyou, M. Greguol, B. House, A. Job, P. Kavcic, B. Lambert, J. Lee, T. Macbeth, S. Mathers, C. McCreery, H. McNeely, B. O'Hagan, B. Page, M. Pease, S. Tatavarti, S. Thompson, E. Williamson, S. Wilson and J. Yanchula

Remote Attendance: Councillor P. Cuddy; E. Skalski

The meeting is called to order at 1:02 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: C. Rahman

That clauses 2.1 to 2.3, inclusive, BE APPROVED.

Yeas: (5): S. Lewis, C. Rahman, S. Franke, S. Hillier, and Mayor J. Morgan

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

#### 2.1 2023 Annual Heritage Report

Moved by: S. Franke

Seconded by: C. Rahman

That the staff report dated February 21, 2024, entitled "2023 Annual Heritage Report" BE RECEIVED for information. (2024-R01)

**Motion Passed**

#### 2.2 2023 Annual Development Report

Moved by: S. Franke

Seconded by: C. Rahman

That the staff report dated February 21, 2024, entitled "2023 Annual Development Report" BE RECEIVED for information. (2024-D04)

**Motion Passed**

2.3 Amendments to the Downtown Community Improvement Plan Financial Incentive Program Guidelines to Introduce an Office-to-Residential Conversion Grant Program

Moved by: S. Franke  
Seconded by: C. Rahman

That, on the recommendation of the Director, Economic Services and Supports, with respect to updating the program guidelines for financial incentive programs permitted through the Downtown Community Improvement Plan, the proposed by-law appended to the staff report dated February 21, 2024 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2024, to amend By-law C.P.-1467-175, as amended, being "A by-law to establish financial incentives for the Downtown Community Improvement Project Areas", by deleting Schedule "1" and replacing it with Schedule "1" the new Downtown Community Improvement Plan – Financial Incentive Program Guidelines;

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. (2024-F11A)

**Motion Passed**

2.4 Heritage Easement Agreement for 39 Carfrae Street

Moved by: S. Hillier  
Seconded by: C. Rahman

That, the following actions be taken with respect to the proposed updated Schedule "C" and Schedule "D" for the Heritage Easement Agreement pursuant to Section 37 of the *Ontario Heritage Act* for the property located at 39 Carfrae Street:

- a) the proposed updated Schedule "C" and Schedule "D" appended to the staff report dated February 21, 2024 for the Heritage Easement Agreement pursuant to Section 37 of the *Ontario Heritage Act* for the property located at 39 Carfrae Street BE APPROVED; and,
- b) the Civic Administration BE DIRECTED to work with the applicant to address outstanding concerns with the remainder of the Heritage Easement Agreement and bring back an update by the end of June 2024;

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

- a request for delegation status from J. Gard; and,
- a communication dated February 14, 2024 from J. Gard;

it being further noted that the Planning and Environment Committee heard a verbal presentation from J. Gard with respect to these matters;

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. (2024-R01)

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

Absent: (1): S. Lehman

**Motion Passed (4 to 0)**

**ADDITIONAL VOTES:**

Moved by: S. Franke  
Seconded by: C. Rahman

That J. Gard BE GRANTED delegation status with respect to the property located at 39 Carfrae Street.

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

Absent: (1): S. Lehman

**Motion Passed (4 to 0)**

**3. Scheduled Items**

3.1 1160 Wharncliffe Road South and 234 Exeter Road (OZ-9450/39T-21507)

Moved by: S. Franke  
Seconded by: C. Rahman

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by 2793774 Ontario Inc. and Goldfield 1 Ltd., relating to the property located at 1160 Wharncliffe Road South and 234 Exeter Road:

- a) the proposed by-law appended to the staff report dated February 21, 2024 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2024, to AMEND the Official Plan for the City of London, 2016, by revising Map 1 – Place Types to change the designation of a portion of the subject lands FROM a Neighbourhoods Place Type TO a Green Space Place Type;
- b) the proposed by-law appended to the staff report dated February 21, 2024 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2024 to AMEND the Southwest Area Secondary Plan, forming part of the Official Plan for the City of London, 2016, by revising Schedule 4 and Schedule 10 of the Southwest Area Secondary Plan to change the designation of a portion of the subject lands FROM a Low Density Residential designation TO a Medium Density Residential designation and an Open Space and Environmental Review designations;
- c) the proposed by-law appended to the staff report dated February 21, 2024 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2024, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016) and the Southwest Area Secondary Plan as amended in parts a) and b) above, to change the zoning of the subject property FROM an Urban Reserve (UR6), an Environmental Review (ER) and a Holding Light Industrial (h-17\*LI2/LI7) Zone TO a Holding Residential R1 (h\*h-161\*R1-3) Zone, a Holding Residential R4 (h\*h100\*h161\*R4-4(2)), a Holding Residential R6 Special Provision (h\*h-100\*h161\*R6-5(\_)) Zone, and a Holding Residential R6 Special Provision (h\*h-2\*h-100\*h161\*R6-5(\_)) Zone and an Open Space (OS4) Zone;
- d) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Plan of Subdivision for the property located at 1160 Wharncliffe Road South and 234 Exeter Road; and,

e) the Approval Authority BE ADVISED that Municipal Council supports issuing draft approval of the proposed Plan of Subdivision as submitted by 2793774 Ontario Inc. and Goldfield 1 Ltd. (File No. 39T-21507), prepared by MHBC (Project No. 17334"j"), dated November 10, 2021;

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

- S. Allen, MHBC;

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 2020;
- the recommended zoning conforms to the policies of The London Plan, including, but not limited to, the Neighbourhood Place Type, City Building and Design, Our Tools, and all other applicable The London Plan policies;
- the zoning will permit development that is considered appropriate and compatible with the existing and future land uses surrounding the subject lands;
- the proposed and recommended amendments 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; and,
- the proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan;

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. (2024-D14)

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

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

**Motion Passed (4 to 0)**

**ADDITIONAL VOTES:**

Moved by: S. Franke

Seconded by: C. Rahman

Motion to open the public participation meeting.

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

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

**Motion Passed (4 to 0)**

Moved by: C. Rahman

Seconded by: S. Franke

Motion to close the public participation meeting.

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

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

**Motion Passed (4 to 0)**

3.2 475 Wharnccliffe Road South (Z-9687)

Moved by: C. Rahman

Seconded by: S. Franke

That, on the recommendation of the Director, Planning and Development, based on the application by Michael Clark Construction (c/o Strik Baldinelli Moniz Ltd.), relating to the property located at 475 Wharnccliffe Road South, the proposed by-law appended to the staff report dated February 21, 2024 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2024 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 Restrictive Service Commercial (RSC2/RSC4) Zone TO a Restrictive Service Commercial Special Provision (RSC2/RSC4(\_)) Zone;

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

- J. Robertson, 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 policies of The London Plan, including but not limited to the Key Directions and Urban Corridor Place Type; and,
- the recommended amendment would facilitate the reuse of the existing building with a range of potential uses that is appropriate for the context of the site;

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. (2024-D14)

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

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

**Motion Passed (4 to 0)**

**ADDITIONAL VOTES:**

Moved by: S. Franke

Seconded by: C. Rahman

Motion to open the public participation meeting.

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

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

**Motion Passed (4 to 0)**

Moved by: C. Rahman  
Seconded by: S. Franke

Motion to close the public participation meeting.

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

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

**Motion Passed (4 to 0)**

### 3.3 1494 Commissioners Road West (Z-9689)

Moved by: S. Franke  
Seconded by: C. Rahman

That, based on the application by David Moubarak (c/o Strik Baldinelli Moniz Ltd.), relating to the property located at 1494 Commissioners Road West, the request 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 (R1-8) Zone TO a Residential R8 Special Provision (R8-4(\_)) Zone and Open Space (OS5) Zone BE REFUSED for the following reason:

i) this application does not comply with the Environmental Management Guidelines;

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

- S. Rasanu, Strik Baldinelli Moniz Ltd.;
- S. Mirsattari;
- R. Rybansky;
- V. Hopkins;
- M. Parezanovic;
- B. McDowell;
- M. Harnadek;
- J. Goldhawk;
- Victoria;
- Ghasaq;
- F. Fernandez;
- Emma;
- S. Comiskey; and,
- T. Heath;

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

- this application does not comply with the Environmental Management Guidelines; and,
- the requested Special Provision does not provide sufficient space within the interior side yard to accommodate adequate screening, protection from boundary trees and privacy to the abutting properties;

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. (2024-D14)

Yeas: (3): C. Rahman, S. Franke, and S. Hillier

Nays: (1): S. Lewis

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

**Motion Passed (3 to 1)**

**ADDITIONAL VOTES:**

Moved by: S. Franke

Seconded by: C. Rahman

Motion to open the public participation meeting.

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

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

**Motion Passed (4 to 0)**

Moved by: C. Rahman

Seconded by: S. Franke

Motion to close the public participation meeting.

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

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

**Motion Passed (4 to 0)**

3.4 1467 Wharnccliffe Road South (OZ-9680)

Moved by: S. Franke

Seconded by: C. Rahman

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Nabataeans Homes, relating to the property located at 1467 Wharnccliffe Road South:

a) the proposed by-law appended to the staff report dated February 21, 2024 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to held on March 5, 2024, to amend the Southwest Area Plan (SWAP), for the City of London by CHANGING the designation of the subject lands FROM Commercial TO Medium Density Residential on Schedule 4 Southwest Area Land Use Plan, and Schedule 10 Central Longwoods Neighbourhood Land Use Designations;

b) the proposed by-law appended to the staff report dated February 21, 2024 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2024, 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 property FROM an Urban Reserve (UR4) Zone TO a holding Residential R8 Special Provision (h-149\*R8-4( )) Zone;

it being noted that no individuals spoke at the public participation meeting associated with these matters;

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 (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 amendments conform 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 amendments conform to the Southwest Area Secondary Plan, including but not limited to the Central Longwoods Neighbourhood policies; and,
- the recommended amendments would permit an appropriate form of development at an intensity that is appropriate for the site and surrounding neighbourhood;

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. (2024-D14)

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

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

**Motion Passed (4 to 0)**

**ADDITIONAL VOTES:**

Moved by: S. Franke

Seconded by: C. Rahman

Motion to open the public participation meeting.

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

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

**Motion Passed (4 to 0)**

Moved by: S. Franke

Seconded by: C. Rahman

Motion to close the public participation meeting.

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

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

**Motion Passed (4 to 0)**

3.5 Gloucester Deferred Trail Segment – Medway Valley Heritage Forest (South) Conservation Master Plan

Moved by: S. Franke

Seconded by: C. Rahman

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to the Gloucester Deferred Trail Segment of the Medway Valley Heritage Forest (South) Conservation Master Plan:

- a) the portion of the pathway and trail system from Gloucester Road (Access 12) to its connection with the pathway in the valley shown on



“Appendix A” of the Medway Valley Heritage Environmentally Significant Area (South) Conservation Master Plan BE APPROVED as a Level 2 Trail;

b) Parks and Forestry BE DIRECTED to consult on the need to establish public access through the City owned Green Acres Drive unopened highway road allowance through to Ambleside Park and report back to the appropriate Standing Committee; and,

c) the Medway Valley Conservation Master Plan Gloucester Deferred Trail segment item BE REMOVED from the Planning and Environment Committee Deferred Matters list;

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

- a communication dated February 15, 2024, from J. Madden; and,
- a communication from J. Menard;

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

- G. Sinker;
- S. Pacifico;
- A. Vanstone; and,
- J. Madden;

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. (2024-R01)

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

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

**Motion Passed (4 to 0)**

**ADDITIONAL VOTES:**

Moved by: C. Rahman

Seconded by: S. Franke

Motion to open the public participation meeting.

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

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

**Motion Passed (4 to 0)**

Moved by: C. Rahman

Seconded by: S. Franke

Motion to close the public participation meeting.

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

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

**Motion Passed (4 to 0)**

**4. Items for Direction**

None.

**5. Deferred Matters/Additional Business**

5.1 (ADDED) 2nd Report of the Community Advisory Committee on Planning

Moved by: S. Franke  
Seconded by: S. Hillier

That the 2nd Report of the Community Advisory Committee on Planning, from its meeting held on February 14, 2024 BE RECEIVED for information.

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

Absent: (3): S. Lehman, C. Rahman, and Mayor J. Morgan

**Motion Passed (3 to 0)**

5.2 (ADDED) Deferred Matters List

Moved by: S. Franke  
Seconded by: S. Hillier

That the Planning and Environment Committee Deferred Matters List dated February 20, 2024 BE RECEIVED for information.

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

Absent: (3): S. Lehman, C. Rahman, and Mayor J. Morgan

**Motion Passed (3 to 0)**

**6. Confidential**

Moved by: C. Rahman  
Seconded by: S. Franke

That the Planning and Environment Committee convenes In Closed Session to consider the following:

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board in connection with the property located at 39 Carfrae Street.

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

Absent: (1): S. Lehman

**Motion Passed (4 to 0)**

The Planning and Environment Committee convenes In Closed Session from 3:56 PM to 4:36 PM.

**7. Adjournment**

The meeting adjourned at 4:48 PM.