

Planning and Environment Committee

Report

3rd Meeting of the Planning and Environment Committee
January 21, 2019

PRESENT: Councillors A. Hopkins (Chair), J. Helmer, M. Cassidy, P. Squire
ABSENT: S. Turner, Mayor E. Holder
ALSO PRESENT: Councillor M. van Holst; I. Abushehada, A. Anderson, G. Belch, J.M. Fleming, K. Gonyou, P. Kokkoros, G. Kotsifas, C. Lowery, H. Lysynski, L. Maitland, H. McNeely, N. Pasato, M. Pease, L. Pompilii, C. Saunders, C. Smith, S. Spring, M. Tomazincic and P. Yeoman

The meeting was called to order at 4:01 PM

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: J. Helmer

Seconded by: M. Cassidy

That Items 2.1 to 2.5, inclusive, BE APPROVED.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

2.1 2nd Report of the London Advisory Committee on Heritage

Moved by: J. Helmer

Seconded by: M. Cassidy

That the following actions be taken with respect to the 2nd Report of the London Advisory Committee on Heritage (LACH), from its meeting held on January 9, 2019:

a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the priority levels on the Register (Inventory of Heritage Resources), BE REMOVED; it being noted that the presentation appended to the 2nd Report of the LACH from K. Gonyou, Heritage Planner, with respect to this matter, was received;

b) the following actions be taken with respect to the Notice of Planning Application, dated January 4, 2019, from M. Corby, Senior Planner, with respect to Official Plan and Zoning By-law Amendments for the properties located at 462-472 Springbank Drive:

i) M. Corby, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied with the research, assessment and conclusions of the Heritage Impact Statement, appended to the above-noted Notice; and,

ii) the Stewardship Sub-Committee BE DIRECTED to compile a list of potential Cultural Heritage Landscapes and report back to a future meeting of the LACH;

c) H. McNeely, Manager, Development Services (Site Plan), BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied with the research, assessment and conclusions of the Heritage Impact Statement, dated January 7, 2019, from Zelinka Priamo Ltd., with respect to the property located at 100 Kellogg Lane; it being noted that the LACH strongly encourages designating the building under the *Ontario Heritage Act*; and,

d) clauses 1.1, 3.1 to 3.5, inclusive, 5.2, 6.2, 6.4 and 6.5 BE RECEIVED for information.

Motion Passed (4 to 0)

2.2 Bird-Friendly Development

Moved by: J. Helmer

Seconded by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to potential changes to the Site Plan Control By-law with respect to bird-friendly development:

a) the staff report dated January 21, 2019 entitled "Bird-Friendly Development" BE RECEIVED for information;

b) the Civic Administration BE DIRECTED to circulate the draft by-law appended to the staff report dated January 21, 2019 for review and comment on potential changes to the Site Plan Control By-law with respect to bird-friendly development; and,

c) the Civic Administration BE DIRECTED to report back on the possibility of instituting a limited lit period of high-rise buildings during an identified migratory bird season including any possible mechanism(s) for enforcement. (2019-T01)

Motion Passed (4 to 0)

2.3 Application - 1522 Kilally Road and 1654 Highbury North - Edgevalley Subdivision (39T-05505) (H-8892)

Moved by: J. Helmer

Seconded by: M. Cassidy

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Drewlo Holdings Inc., relating to the properties located at 1522 Kilally Road and 1654 Highbury Avenue North, the proposed by-law appended to the staff report dated January 21, 2019 BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2019 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 Special Provision (h*h-100*R1-3(7)) Zone, a Holding Residential R1 (h*h-100*R1-4) Zone, a Holding Residential R5/Residential R6 (h*h-54*h-100*R5-7/R6-5) Zone, a Holding Residential R5/Residential R6 (h*h-100*R5-7/R6-5) Zone, a Holding Residential R6/Residential R9 (h*h-54*h-100*R6-5/R9-7*H36) Zone TO a Residential R1 Special Provision (R1-3(7)) Zone, a Residential R1 (R1-4) Zone, a Holding Residential R5/Residential R6 (h*h-54*R5-7/R6-5) Zone, a Holding Residential R5/Residential R6 (h*R5-7/R6-5) Zone, a Holding Residential R6/Residential R9 (h*h-54*R6-5/R9-7*H36)

Zone to remove the “h” holding provision from all lots and the “h-100” holding provision from all lots and blocks. (2019-D09)

Motion Passed (4 to 0)

2.4 Priority Levels on the Register (Inventory of Heritage Resources)

Moved by: J. Helmer

Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the priority levels on the Register (Inventory of Heritage Resources) BE REMOVED. (2019-R01)

Motion Passed (4 to 0)

2.5 Building Division Monthly Report for November 2018

Moved by: J. Helmer

Seconded by: M. Cassidy

That the Building Division Monthly Report for the month of November, 2018 BE RECEIVED for information. (2019-D04)

Motion Passed (4 to 0)

3. Scheduled Items

3.1 Delegation - J. Plutino, Mainline Planning Services Inc. - 6188 Colonel Talbot Road - Obtain a Section 45(1.4) Council Resolution

Moved by: J. Helmer

Seconded by: M. Cassidy

That the staff report dated January 21, 2019, entitled "Delegation Request by Mainline Planning Services Inc. - 6188 Colonel Talbot Road - Obtain a Section 45(1.4) Council Resolution" BE RECEIVED; it being noted that the Planning and Environment Committee heard verbal presentations from J. Plutino, Mainline Planning Services Inc. and J. Fontana, Vice President, Business and Government Affairs, Shogun, with respect to this matter. (2019-D09)

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

3.2 Application - Portion of 146 Exeter Road (Richardson Subdivision 39T-15501, Block 30 and a Portion of Block 31, Wharncliffe Road Frontage) (Z-8969)

Moved by: M. Cassidy
Seconded by: P. Squire

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to the property located at 146 Exeter Road, the proposed by-law appended to the staff report dated January 21, 2019 BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Residential R5 Special Provision/Residential R6 Special Provision (h*h-100*h-198*R5-4(22)/R6-5(50)) Zone TO a Holding Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 Special Provision (h*h-100*h-198* R5-4(22)/R6-5(50)/R7(__)*D45*H17) Zone;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

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 (PPS), 2014, which encourages healthy, livable and safe communities by accommodating an appropriate range and mix of residential uses (including second units, affordable housing, and housing for older persons), encourages settlement areas to be the main focus of growth and development, and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- the recommended amendment is consistent with the objectives and policies of the London Plan, and the policies of the “Neighbourhoods” Place Type for Use, Intensity, and Form;
- the recommended amendment is consistent with the objectives and policies of the Southwest Area Secondary Plan, as it encourages Seniors and Special Populations Housing within the Medium Density Residential Designation;
- the proposed amendment meets the policies of the 1989 Official Plan and the use is consistent with the Multi-Family, Medium Density Residential designation; and,
- the proposed special provisions for reduced front and exterior side yard and reduced interior and rear yard setbacks are supported to encourage and foster improved design for the site. (2019-D09)

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

Additional Votes:

Moved by: M. Cassidy
Seconded by: P. Squire

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

Moved by: M. Cassidy
Seconded by: J. Helmer

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire
Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

3.3 Application - 2156 Highbury Avenue North (OZ-8956)

Moved by: M. Cassidy
Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Chinmaya Mission (Canada), relating to the property located at 2156 Highbury Avenue North:

- a) the proposed by-law appended to the staff report dated January 21, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2019 to amend the Official Plan by AMENDING Policy 10.1.3 cxxv) to permit a place of worship within the existing building;
- b) the proposed by-law appended to the staff report dated January 21, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Residential R1 Special Provision (R1-11(16)) Zone, Open Space (OS4) Zone and Environmental Review (ER) Zone TO a Holding Neighbourhood Facility Special Provision (h-18•NF(__)) Zone, Open Space (OS4) Zone, Environmental Review (ER) Zone and Agricultural Special Provision (AG1(__)) Zone;
- c) the proposed by-law appended to the staff report dated January 21, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2019, to amend The London Plan by AMENDING Policy 1236_ for the Farmland Place Type AND ADDING a new policy to the Specific Policies for the Green Space Place Type AND AMENDING Map 7 – Specific Policy Areas – of The London Plan by adding the Green Space Place Type to Specific Policy Area 19; it being noted that the amendments will come into full force and effect concurrently with Map 1 and Map 7 of The London Plan;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

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

- the request is consistent with the policies of the Provincial Policy Statement, 2014;
- the request is in conformity with the policies of The London Plan;
- the request is in conformity with the policies of the 1989 Official Plan;
- the request will facilitate the adaptive reuse of an existing residential building to a new use that is compatible with the surrounding agricultural area; and,

- the request will replace the urban residential uses currently permitted on the subject lands and reintroduce agricultural uses. (2019-D09)

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

Additional Votes:

Moved by: M. Cassidy

Seconded by: P. Squire

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

Moved by: M. Cassidy

Seconded by: P. Squire

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

4. Items for Direction

4.1 Councillor S. Lewis - Argyle Business Improvement Association

Moved by: P. Squire

Seconded by: M. Cassidy

That the communication dated January 12, 2019 from Councillor S. Lewis, with respect to operations at the Argyle Business Improvement Area BE RECEIVED. (2019-D19)

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential

Moved by: M. Cassidy
Seconded by: J. Helmer

(Confidential Appendix enclosed for Members only.)

The Planning and Environment Committee convened in camera from 5:07 PM to 5:25 PM after having passed a motion to do so, with respect to the following matters:

6.1. Solicitor-Client Privileged Advice/Litigation or Potential Litigation

A matter pertaining to solicitor-client privilege, including communications necessary for that purpose; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal, and for the purpose of providing instructions and directions to officers and employees of the Corporation.

6.2. Solicitor-Client Privileged Advice/Litigation or Potential Litigation

A personal matter pertaining to litigation or potential litigation with respect to appeals to the Ontario Municipal Board, continued as the Land Use Planning Appeals Tribunal, arising out of the London Plan; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose and for the purpose of providing instructions and directions to external legal counsel, officers and employees of the Corporation with respect to appeals to the Ontario Municipal Board, continued as the Land Use Planning Appeals Tribunal, arising out of the London Plan.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire
Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

7. Adjournment

The meeting adjourned at 5:26 PM