

# Planning and Environment Committee

## Report

The 17th Meeting of the Planning and Environment Committee  
October 7, 2019

PRESENT: Councillors A. Hopkins (Chair), J. Helmer, M. Cassidy, P. Squire, S. Turner

ABSENT: Mayor E. Holder

ALSO PRESENT: Councillor A. Kayabaga; I. Abushehada, J. Adema, G. Barrett, B. Debbert, M. Elmadhoon, M. Feldberg, J.M. Fleming, M. Knieriem, G. Kotsifas, J. Lee, H. Lysynski, H. McNeely, B. Morin, L. Mottram, B. O'Hagan, L. Pompilli, M. Ribera, C. Saunders, M. Tomazincic, D. Turner 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: M. Cassidy  
Seconded by: S. Turner

That Items 2.1, 2.2, 2.4, 2.5 and 2.7, BE APPROVED.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

#### 2.1 2nd Report of the Agricultural Advisory Committee

Moved by: M. Cassidy  
Seconded by: S. Turner

That the 2nd Report of the Agricultural Advisory Committee, from its meeting held on September 18, 2019, BE RECEIVED for information.

**Motion Passed**

#### 2.2 Provincial Policy Statement (PPS) 2019 Review

Moved by: M. Cassidy  
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the proposed policies under the Provincial Policy Statement:

a) the staff report dated October 7, 2019 entitled "Provincial Policy Statement (PPS) 2019 Review" BE RECEIVED for information;

- b) the Province BE ADVISED that several of the proposed changes are contrary to Municipal Council’s Climate Emergency Declaration; and,
- c) the above-noted staff report BE FORWARDED to the Ministry of Municipal Affairs and Housing for consideration in response to the Environmental Registry of Ontario (ERO) posting of the proposed policies by the commenting deadline of October 21, 2019. (2019-S11)

**Motion Passed**

- 2.4 Application - Eagle Ridge Subdivision - Phase 2 - 810 Westdel Bourne - Removal of Holding Provisions (H-9112)

Moved by: M. Cassidy  
 Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, based on the application by West Kains Land Corp. and Liahn Farms Ltd., relating to lands located at 810 Westdel Bourne, known as Eagle Ridge Subdivision – Phase 2, the proposed by-law appended to the staff report dated October 7, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 15, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h•R1-4) Zone, a Holding Residential R1 (h•h-211•R1-4) Zone, a Holding Residential R1 (h•R1-8) Zone, and a Holding Residential R6 (h•h-54•h-71•R6-5) Zone TO a Residential R1 (R1-4) Zone, a Holding Residential R1 (h-211•R1-4) Zone, a Residential R1 (R1-8) Zone, and a Holding Residential R6 (h-54•h-71•R6-5) Zone to remove the h holding provisions. (2019-D09)

**Motion Passed**

- 2.5 Application - 56 High Street - Removal of Holding Provision

Moved by: M. Cassidy  
 Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, based on the application by 56 High Street Inc., relating to the property located at 56 High Street, the proposed by-law appended to the staff report dated October 7, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 15, 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 Restricted Office/Arterial Commercial/Convenience Commercial Special Provision (h\*RO2/AC5/CC1(7)) Zone TO Restricted Office/Arterial Commercial/Convenience Commercial Special Provision (RO2/AC5/CC1(7)) Zone to remove the h holding provision. (2019-D09)

**Motion Passed**

- 2.7 Building Division Monthly Report for August 2019

Moved by: M. Cassidy  
 Seconded by: S. Turner

That the Building Division Monthly Report for the month of August, 2019 BE RECEIVED for information. (2019-A23)

**Motion Passed**

2.3 Application - 185 Queens Avenue Parking Lot Redevelopment (19 DOWr1)

Moved by: M. Cassidy  
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the property located at 185 Queens Avenue:

- a) the staff report dated October 7, 2019 entitled "185 Queens Avenue Parking Lot Redevelopment" BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to undertake a procurement process to find a potential partner to redevelop the parking lot at 185 Queens Avenue for the purposes of a mixed-use development including a municipal parking garage. (2019-T02)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

2.6 Masonville Transit Village Secondary Plan - Update (O-8991)

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

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated October 7, 2019 entitled "The Corporation of the City of London Masonville Transit Village Secondary Plan - Update" BE RECEIVED for information. (2019-T03)

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and S. Turner

Absent: (2): P. Squire, and E. Holder

**Motion Passed (4 to 0)**

**3. Scheduled Items**

3.1 10th Report of the Environmental and Ecological Planning Advisory Committee

Moved by: M. Cassidy  
Seconded by: S. Turner

That, the following actions be taken with respect to the 10th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on September 19, 2019:

- a) a Working Group BE ESTABLISHED consisting of S. Heuchan, I. Mohamed, R. Doyle, S. Esan, L. Banks, S. Levin and B. Samuels, to review the draft Subject Lands Status Report for the White Oak-Dingman Secondary Plan; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received the presentation appended to the 10th Report of the Environmental and Ecological Planning Advisory Committee from L. McDougall, Ecologist and T. Macbeth, Planner II, with respect to these matters;

b) G. Barrett, Manager, Land Use Planning and Sustainability, BE INVITED to the next meeting of the Environmental and Ecological Planning Advisory Committee (EEPAC) to discuss the differences between City-owned and privately owned Environmentally Significant Areas; it being noted that at the EEPAC reviewed and received the Environmentally Significant Areas Meeting Minutes from its meetings held on April 30, 2019 and August 20, 2019;

c) the following actions be taken with respect to the review of the Environmental Management Guidelines:

i) the Working Group comments appended to the 10th Report of the Environmental and Ecological Planning Advisory Committee with respect to the review of the Environmental Management Guidelines BE FORWARDED to the Civic Administration for consideration; and,

ii) a special Environmental and Ecological Planning Advisory Committee BE HELD on November 7, 2019 at 5:00 PM to provide further Working Group comments on these matters; and,

d) clauses 1.1, 2.1, 3.1, 3.2 and 5.1 BE RECEIVED for information.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and S. Turner

Absent: (2): P. Squire, and E. Holder

#### **Motion Passed (4 to 0)**

3.2 Delegation - A. Morrison, Member-at-Large, Trees and Forests Advisory Committee - 9th Report of the Trees and Forests Advisory Committee

Moved by: S. Turner

Seconded by: M. Cassidy

That, the following actions be taken with respect to the 9th Report of the Trees and Forests Advisory Committee, from its meeting held on September 25, 2019:

a) clause 5.3 BE AMENDED as follows:

i) part a) BE REFERRED to the Budget review for consideration; it being noted that part a) of clause 5.3 reads as follows:

“a) the Municipal Council BE REQUESTED to continue to cover the operating budgets, at the current level or higher, for the Conservation Authorities operating within London; and”;

ii) part b) BE RECEIVED for information; it being noted that part b) of clause 5.3 reads as follows:

“b) a representative from ReForest London BE INVITED to attend a future meeting of the Trees and Forests Advisory Committee to present their business plan for the next two years and to indicate how the Provincial funding cuts are affecting their budget;

it being noted that this funding will be necessary in keeping the City of London on track with the Urban Forest Strategy;

it being further noted that the communication from J. Kogelheide, as appended to the agenda, with respect to this matter, was received.”; and,

b) clauses 1.1, 3.1, 3.2, 5.1, 5.2 and 5.4 BE RECEIVED for information.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

3.3 Public Participation Meeting - Application - 800, 805 and 810 Chelton Road - Application for Zoning By-law Amendment (Z-9089)

Moved by: S. Turner

Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, based on the application by The Ironstone Building Company Inc., relating to the lands located at 800, 805 and 810 Chelton Road, the proposed by-law appended to the staff report dated October 7, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 15, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Community Shopping Area CSA3 Zone, Associated Shopping Area Commercial (ASA1/ASA2/ASA3) Zone, and a Holding Residential R6/R9 (h-54•R6-5/R9-3•H20) Zone TO a Residential R5 (R5-7) Zone, a Residential R5 Special Provision R5-7( ) Zone, a Residential R9 Special Provision Bonus (R9-7( )•H16•B- ) Zone, and an Open Space OS5 Zone;

it being noted that the proposed Bonus Zone will be implemented through the required development agreement(s) to facilitate the development of low to mid-rise apartment buildings up to a maximum of five (5) storeys and six (6) storeys which substantially implements the vision and principles of the Chelton Road Master Plan for 800, 805 and 810 Chelton Road, and site concept plans as outlined in the amending by-law appended to the staff report dated October 7, 2019, in exchange for the following facilities, services and matters:

- i) enhanced building and site design features including an active street edge along Bradley Avenue, Chelton Road, and Meadowgate Boulevard;
- ii) dedication of public open space (OS5) lands;
- iii) measures to enhance the Natural Heritage System including substantial buffer planting with native vegetation to protect adjacent natural features;
- iv) large quantities of secure bicycle parking and cycling infrastructure including indoor and outdoor storage facilities, and a multi-use pathway internal to the site providing connections to surrounding public sidewalks and pedestrian trails; and,
- v) substantial tree planting of large caliper trees to be planted along the street frontage and outdoor amenity areas;

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 zoning amendment is consistent with the Provincial Policy Statement (PPS), 2014, as it promotes efficient development and land use patterns; accommodates an appropriate range and mix of land uses, housing types, and densities to meet projected

needs of current and future residents; and minimizes land consumption and servicing costs;

- the recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
- the recommended zoning amendment permits a use, form and intensity of residential development that conforms to the in-force policies of the (1989) Official Plan, including but not limited to the Community Commercial Node and Multi-Family, High Density Residential designations;
- the recommended zoning amendment will allow for an increase in building height through a Bonus Zone which requires that developments implement the vision and principles of the Chelton Road Master Plan, and site concept plans attached to the amending by-law. The recommended Bonus Zone provides for an increased height in return for a series of bonusable features, matters and contributions that benefit the public;
- the subject development blocks are of a size and shape suitable to accommodate the proposal. The recommended zoning amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures; and,
- the proposed uses, form, and intensity are considered appropriate and compatible with existing residential development in the surrounding neighbourhood. (2019-D09)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Moved by: M. Cassidy

Seconded by: P. Squire

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, P. Squire, and S. Turner

Absent: (2): J. Helmer, and E. Holder

**Motion Passed (4 to 0)**

3.4 Public Participation Meeting - Application - 1339-1347 Commissioners Road West (Z-9081/O-9082)

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Milan Starcevic, relating to the properties located at 1339 – 1347 Commissioners Road West:

- a) the proposed by-law appended to the staff report dated October 7, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 15, 2019 to amend the Official Plan for the City of London Planning Area – 1989 by ADDING a policy to Section 3.5. – Policies for Specific Residential Areas to recognize the permitted uses of the Neighbourhoods Place Type in The London Plan at this location;
- b) the attached proposed revised by-law BE INTRODUCED at the Municipal Council meeting to be held on October 15, 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/Residential R5 (R1-9/R5-3) Zone TO a Residential R8 Bonus (R8-4\*B-\_) Zone and Holding (h-5) Zone to ensure that development takes a form compatible with the adjacent land uses, agreement shall be entered into following site plan review specifying the issues allowed for under section 41 of the *Planning Act, R.S.O. 1990, c.P. 13*, prior to the removal of the h-5 symbol;
- c) the Approval Authority BE ADVISED that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority with regard to the mitigation of potential impacts on the townhouse development at 1337 Commissioners Road West:
  - i) photometric analysis to manage lighting impacts on adjacent developments;
  - ii) a noise study to evaluate and mitigate noise impacts related to the parking ramp and underground parking garage on the adjacent development at 1337 Commissioners Road West;
  - iii) enhanced provision of boundary landscaping along the east and north property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;
  - iv) the protection and preservation of trees along the northerly boundary (both shared and within the boundary vegetation) of the subject property, with the exception of invasive species or hazard trees; and,
  - v) privacy trees be used for replacement trees;

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 amendments to the Official Plan and Zoning By-law Z.-1 are consistent with the 2014 Provincial Policy Statement (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 in-force policies of the 1989 Official Plan including, but not limited to the Policies for Specific Residential Areas which allow Council to address development

opportunities through specific policies that provide additional guidance to the general Multi-family, Medium Density Residential policies;

- the recommended amendment conforms to the in-force policies of The London Plan including, but not limited to the policies of the Neighbourhoods Place Type which contemplate low-rise apartment buildings with a maximum height of 4 storeys with the potential for up to 6 storeys with Type 2 bonusing where the property has frontage on a Civic Boulevard;
- the subject lands represent an appropriate location for residential intensification, along a higher-order street within an existing neighbourhood, and the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood;
- the recommended amendment would help to achieve the vision of The Neighbourhoods Place Type by providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities; and,
- the recommended increases in height and density are commensurate with the value conferred by the recommended bonus provision for design and affordable housing. (2019-D09)

Additional Votes:

Moved by: A. Hopkins

Seconded by: J. Helmer

Motion to approve parts a) and b), which read as follows:

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Milan Starcevic, relating to the properties located at 1339 – 1347 Commissioners Road West:

- a) the proposed by-law appended to the staff report dated October 7, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 15, 2019 to amend the Official Plan for the City of London Planning Area – 1989 by ADDING a policy to Section 3.5. – Policies for Specific Residential Areas to recognize the permitted uses of the Neighbourhoods Place Type in The London Plan at this location;
- b) the attached proposed revised by-law BE INTRODUCED at the Municipal Council meeting to be held on October 15, 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/Residential R5 (R1-9/R5-3) Zone TO a Residential R8 Bonus (R8-4\*B-\_) Zone and Holding (h-5) Zone to ensure that development takes a form compatible with the adjacent land uses, agreement shall be entered into following site plan review specifying the issues allowed for under section 41 of the *Planning Act, R.S.O. 1990, c.P. 13*, prior to the removal of the h-5 symbol;

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 amendments to the Official Plan and Zoning By-law Z.-1 are consistent with the 2014 Provincial Policy Statement (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 in-force policies of the 1989 Official Plan including, but not limited to the Policies for Specific Residential Areas which allow Council to address development opportunities through specific policies that provide additional guidance to the general Multi-family, Medium Density Residential policies;
- the recommended amendment conforms to the in-force policies of The London Plan including, but not limited to the policies of the Neighbourhoods Place Type which contemplate low-rise apartment buildings with a maximum height of 4 storeys with the potential for up to 6 storeys with Type 2 bonusing where the property has frontage on a Civic Boulevard;
- the subject lands represent an appropriate location for residential intensification, along a higher-order street within an existing neighbourhood, and the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood;
- the recommended amendment would help to achieve the vision of The Neighbourhoods Place Type by providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities; and,
- the recommended increases in height and density are commensurate with the value conferred by the recommended bonus provision for design and affordable housing. (2019-D09)

Yeas: (4): A. Hopkins, J. Helmer, P. Squire, and S. Turner

Nays: (1): M. Cassidy

Absent: (1): E. Holder

#### **Motion Passed (4 to 1)**

Moved by: A. Hopkins  
Seconded by: J. Helmer

Motion to approve part c) i) to iii), inclusive, which reads as follows:

c) IT BEING NOTED the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority with regard to the mitigation of potential impacts on the townhouse development at 1337 Commissioners Road West:

- photometric analysis to manage lighting impacts on adjacent developments;
- a noise study to evaluate and mitigate noise impacts related to the parking ramp and underground parking garage on the adjacent development at 1337 Commissioners Road West;
- enhanced provision of boundary landscaping along the east and north property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

#### **Motion Passed (5 to 0)**

Moved by: A. Hopkins  
Seconded by: J. Helmer

Motion to approve part c), iv) and v) to include the following matters during site plan:

- iv) the protection and preservation of trees along the northerly boundary (both shared and within the boundary vegetation) of the subject property, with the exception of invasive species or hazard trees; and,
- v) privacy trees be used for replacement trees;

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

Nays: (1): S. Turner

Absent: (1): E. Holder

**Motion Passed (4 to 1)**

Moved by: S. Turner  
Seconded by: J. Helmer

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and S. Turner

Absent: (2): P. Squire, and E. Holder

**Motion Passed (4 to 0)**

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

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

#### **4. Items for Direction**

- 4.1 G. Gallacher, Chair of the Board, London Downtown Business Association - Request to Amend City By-law CP-2

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

That the City Clerk BE DIRECTED to bring forward to a future meeting of Municipal Council a by-law to incorporate the proposed amendments to the London Downtown Business Association (LDBA) and MainStreet London By-law CP-2 as requested by the LDBA and MainStreet London Board of Management as outlined in the communication dated from G. Gallacher, Chair of the Board (LDBA). (2019-C12)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

**5. Deferred Matters/Additional Business**

None.

**6. Adjournment**

The meeting adjourned at 7:05 PM.