

Planning and Environment Committee Report

The 7th Meeting of the Planning and Environment Committee
April 27, 2020

PRESENT: Councillor M. Cassidy (Chair), J. Helmer, A. Hopkins, S. Turner, A. Kayabaga

ABSENT: Mayor E. Holder

ALSO PRESENT: S. Corman, H. Lysynski, C. Saunders, S. Spring, B. Westlake-Power
Remote Staff Attendance: Councillors M. van Holst, S. Lewis, E. Peloza and S. Hillier; J. Adema, A. Anderson, G. Barrett, G. Kotsifas, D. Munteer, M. Pease, L. Pompilii, M. Schulthess, S. Tatavarti, and P. Yeoman
The meeting is called to order at 3:01 PM, with Councillor M. Cassidy in the Chair and all other Members participating by remote attendance, except Mayor E. Holder.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

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

That Items 2.1 to 2.3, inclusive, and 2.7 to 2.10, inclusive, BE APPROVED.

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

Motion Passed (4 to 0)

2.1 4th Report of the London Advisory Committee on Heritage

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

That the following actions be taken with respect to the 4th Report of the London Advisory Committee on Heritage from its meeting held on March 11, 2020:

- a) the Proposal to Host the 2022 Ontario Heritage Conference, as appended to the agenda, BE ENDORSED by the London Advisory Committee on Heritage; it being noted that a verbal delegation by W. Kinghorn, with respect to this matter, was received;
- b) the following actions be taken with respect to the Notice of Planning Application, dated February 12, 2020, from C. Lowery, Planner II, related to a Zoning By-law Amendment with respect to the properties located at 1146-1156 Byron Baseline Road:
 - i) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied with the research, assessment and conclusions of the Heritage Impact Assessment (HIA) included with the above-noted Notice of Planning Application, and is satisfied that the

proposed development will not have an adverse impact on adjacent cultural heritage resources; it being noted that the LACH supports the recommended mitigation measures outlined in the HIA; and,

ii) the possibility of designating the property located at 1158 Byron Baseline Road, under Part IV of the Ontario Heritage Act, BE REFERRED to the Stewardship Sub-Committee for review;

c) the following actions be taken with respect to the Notice of Planning Application, dated March 5, 2020, from C. Parker, Senior Planner, related to London Plan and Zoning By-law Amendments with respect to implementing additional residential unit requirements of the Planning Act city-wide:

i) the above-noted Notice of Planning Application BE REFERRED to the Policy and Planning Sub-Committee for review; and,

ii) C. Parker, Senior Planner, BE INVITED to the Policy and Planning Sub-Committee meeting, when this matter is discussed, and to the following London Advisory Committee on Heritage meeting to provide further information and respond to questions;

d) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for a proposed park on the property located at 723 Lorne Avenue, located within the Old East Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the Heritage Planner be consulted on the restoration and installation details for the original school bell and aluminium lettering prior to installation;
- the London Advisory Committee on Heritage (LACH) be consulted on the cultural heritage interpretive sign to commemorate the former Lorne Avenue Public School prior to its production and installation; and,
- consideration be given to including more plant species identified in Table 5.1 of the Old East Heritage Conservation District Conservation Guidelines, as appended to the staff report dated March 11, 2020, in the planting plan for the Lorne Avenue Park;

it being noted that the LACH strongly recommends the use of decorative metal fencing along the south end of Lorne Avenue Park;

it being further noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, with respect to this matter, was received;

e) on the recommendation of the Director, Planning and City Planner, with the advice of the Heritage Planner, the properties located at 74 Wellington Road and 78 Wellington Road BE REMOVED from the Register of Cultural Heritage Resources; it being noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, was received with respect to this matter; and,

f) clauses 1.1, 3.1, 3.2 and 5.3 BE RECEIVED for information.

Motion Passed

2.2 Urban Agriculture Strategy - 2019 Annual Report

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

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated April 27, 2020 entitled "Urban Agriculture Strategy 2019 Annual Report" providing an update on the implementation of the Urban Agriculture Strategy since late 2017, BE RECEIVED for information.

Motion Passed

2.3 Provincial Policy Statement 2020

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

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated April 27, 2020 entitled "Provincial Policy Statement (PPS) 2020" outlining the final version of the Provincial Policy Statement that was released on February 28, 2020, BE RECEIVED for information.

Motion Passed

2.7 Foxwood Subdivision Phase 3 - 1602 Sunningdale Road Subdivision Agreement Special Provisions 39T-11503

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Foxwood Developments (London) Inc., for the subdivision of land over Part of Lot 24, Concession 5, situated on the south side of Sunningdale Road West, east of Hyde Park Road, municipally known as 1602 Sunningdale Road West:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxwood Developments (London) Inc., for the Foxwood Subdivision, Phase 3 (39T-11503) appended to the staff report dated April 27, 2020 as Appendix "A", BE APPROVED;
- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated April 27, 2020 as Appendix "B";
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 27, 2020 as Appendix "C"; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions.

Motion Passed

2.8 935-941 Longworth Road (H-9175)

Moved by: J. Helmer

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Drewlo Holdings Inc., relating to the properties located at 935-941 Longworth Road, the proposed by-law appended to the staff report dated April 27, 2020 BE INTRODUCED at the Municipal Council meeting to be held on May 5, 2020 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the lands FROM a holding Residential R1 Special Provision (h-94*R1-6(4)) TO a Residential R1 Special Provision (R1-6(4)) Zone to remove the holding provision.

Motion Passed

2.9 Exemption for Part-Lot Control - 2673 Asima Drive and 3313 Strawberry Walk

Moved by: J. Helmer

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rockwood Homes, to exempt Blocks 50 and 51, Plan 33M-699 from Part-Lot Control:

a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated April 27, 2020 BE INTRODUCED at a future Municipal Council meeting, to Blocks 50 and 51, Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-5(2)) which permits street townhouse dwellings;

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Blocks 50 and 51, Plan 33M-699 as noted in clause a) above:

i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;

ii) the applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;

iii) the applicant submits to Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;

iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;

v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;

vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;

- vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii) the applicant shall obtain confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix) the applicant shall obtain approval from Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x) the applicant shall submit to Development Services confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Chief Building Official for lots being developed in any future reference plan;
- xii) the applicant shall provide a draft transfer of the easements to be registered on title; and,
- xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

Motion Passed

2.10 Building Division Monthly Report for February 2020

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

That the Building Division Monthly Report for the month of February, 2020 BE RECEIVED for information.

Motion Passed

2.4 Meadowlilly Subdivision Amendment Agreement 39T-00517

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the Subdivision Agreement between The Corporation of the City of London and Rembrandt Meadowlilly Inc., for the subdivision of land over Registered Plan 33M-603, located on the north side of Commissioners Road East, east of Highbury Avenue South, across from Chelton Road:

- a) the Amending Agreement between The Corporation of the City of London and Rembrandt Meadowlilly Inc. appended to the staff report dated April 27, 2020 BE APPROVED for the Meadowlilly Subdivision (Registered Plan 33M-603); and,
- b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any further amending agreements and all documents required to fulfill its conditions.

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

Motion Passed (4 to 0)

- 2.5 Request for Council Resolution, under section 45(1.4) of the Planning Act, R.S.O. 1990, c. P.13 - 809 Dundas Street East (Z-8875)

Moved by: J. Helmer

Seconded by: A. Hopkins

That, the following actions be taken with respect to the property located at 809 Dundas Street:

a) on the recommendation of the City Clerk, the report dated April 27, 2020 and entitled "Request for Council Resolution, under section 45(1.4) of the *Planning Act, 1990, c. P.13* - 809 Dundas Street" BE RECEIVED for information; and,

b) the Managing Director, Development and Compliance Services and Chief Building Official BE AUTHORIZED to submit a Minor Variance application for the property located at 809 Dundas Street.

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

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

Motion Passed (4 to 0)

- 2.6 130, 136, 146 and 164 Pond Mills Road Pond Mills Subdivision Agreement Special Provisions 39T-12501

Moved by: A. Hopkins

Seconded by: J. Helmer

That the application to enter into a subdivision agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the subdivision of land over Lot 1, Lot 7 and Lot 8 Registered Plan No. 284(C) and Part of Lot 17 and Lot 18 Broken Front Concession B (Geographic Township of Westminster) and Part of Block 73 Plan 33M-269 in the City of London, County of Middlesex, situated on the east of Pond Mills Road, south of the Thames River, and west of Shelborne Place, municipally known as 130, 136, 146 and 164 Pond Mills Road BE REFERRED back to the Civic Administration for further consultation with the applicant and to report back to a future meeting of the Planning and Environment Committee.

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

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

Motion Passed (4 to 0)

3. Scheduled Items

None.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 (ADDED) Hamilton Road Community Improvement Plan Forgivable Loan Programs

Moved by: J. Helmer

Seconded by: A. Hopkins

That Civic Administration BE DIRECTED to take the actions necessary to implement the Façade Improvement and Upgrade to Building Code Forgivable Loan Programs for the Hamilton Road Community Improvement Plan Project Area; it being noted that funding to support these Programs are available in the CIP Loan Reserve Fund; it being noted that the Planning and Environment Committee reviewed and received a communication dated March 4, 2020 from Councillor M. van Holst with respect to this matter.

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

Absent: (1): E. Holder

Motion Passed (5 to 0)

6. Confidential

That the Planning and Environment Committee convene, In Closed Session, for the purpose of considering the following:

6.1 Solicitor-Client Privilege/Litigation or Potential Litigation

This report can be considered in a meeting closed to the public as the subject matter being considered pertains 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 an appeal at the Local Planning Appeal Tribunal("LPAT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

6.2 Solicitor-Client Privilege/Litigation or Potential Litigation

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6.3 Solicitor-Client Privilege/Litigation or Potential Litigation

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The Planning and Environment Committee convenes, In Closed Session, from 3:35 PM to 5:06 PM.

7. Adjournment

The meeting adjourned at 5:07 PM.