

Planning and Environment Committee

Report

The 13th Meeting of the Planning and Environment Committee
September 8, 2020

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

ALSO PRESENT: H. Lysynski, C. Saunders and S. Spring

Remote Attendance: Councillors S. Hillier and S. Lehman; J. Adema, A. Anderson, J. Bunn, M. Corby, M. Feldberg, K. Gonyou, G. Kotsifas, T. Macbeth, J. MacKay, L. Pompilii, M. Schulthess, B. Somers, M. Tomazincic, D. Turner, M. Vivian, B. Westlake-Power and P. Yeoman

The meeting is called to order at 4:01 PM, with Councillor M. Cassidy in the Chair and Councillor Hopkins present; it being noted that the following Members were in remote attendance: Mayor E. Holder; Councillors J. Helmer, S. Turner and A. Kayabaga

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: E. Holder
Seconded by: S. Turner

That Items 2.1 to 2.3, inclusive, and 2.5 to 2.7, inclusive BE APPROVED.

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

Motion Passed (4 to 0)

2.1 Application - 3740 Southbridge Avenue (P-9232)

Moved by: E. Holder
Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, to exempt Block 130, Plan 33M-785 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 September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 130, Plan 33M-785 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned holding Residential R4 Special Provision (h*h-100 R4-6(8)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 7.0m;

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 130, Plan 33M-785 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 the 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 the 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 the 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 the 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 the City, 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 Building Controls Division 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 for the reciprocal use of parts 1, 3, 4, 9, 10, 11, 14, 15, 19, 20, 22, 23, 24, 29, 30 and 31 by parts 2, 5, 6, 7, 8, 12, 13, 16, 17, 18, 21, 25, 26, 27, 28 and 32; 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

2.2 Application - 3620 Southbridge Avenue 33M-785, Block 124 (P-9231)

Moved by: E. Holder

Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, to exempt Block 124, Plan 33M-785 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 September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 124, Plan 33M-785 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned holding Residential R4 Special Provision (h*h-100 R4-6(8)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 7.0m;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 124, Plan 33M-785 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 the 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 the 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 the 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 the 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 the City, 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 Building Controls Division 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 for the reciprocal use of parts 2, 3, 4, 7, 11, 12, 15, 16, 18, 19, 20, 23, 27, 28, 29, 32, 33, 34, 37, 41, 42, 45 and 46 by parts 1, 5, 6, 8, 9, 10, 13, 14, 17, 21, 22, 24, 25, 26, 30, 31, 35, 36, 38, 39, 40, 43 and 44; 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

2.3 Application - 2805 Asima Drive (P-9220)

Moved by: E. Holder

Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rockwood Homes, to exempt Block 49, 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 September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 49, 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 registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, 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 Block 49, 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 the 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 the 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 the 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 the 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 the City, 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 Building Controls Division 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 for the reciprocal use of parts 2, 5, 7, 9, and 11 by parts 1, 3, 4, 6, 8 and 10; 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

2.5 Application - 1160 Wharncliffe Road South (P-9238)

Moved by: E. Holder

Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Goldfield Ltd., to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 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 September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-4(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 6.7m, a minimum exterior and interior side yard depth of 1.2m and maximum lot coverage of 45%;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 2, 3, 4, 5 and 7, Plan 33M-786 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 the 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 the 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 the 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 the 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 the City, 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 Building Controls Division for lots being developed in any future reference plan;
- xii) 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

2.6 Application - 1830 Finley Crescent (P-9096)

Moved by: E. Holder
 Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, based on the application by Kenmore Homes (London) Inc., the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to exempt Block 98, Plan 33M-733 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act, R.S.O. 1990, c. P. 13*, for a period not exceeding three (3) years.

Motion Passed

2.7 Application - 1860 Finely Crescent (P-9095)

Moved by: E. Holder
 Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, based on the application by Kenmore Homes (London) Inc., the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to exempt Block 97, Plan 33M-733 from the Part-Lot Control

provisions of Subsection 50(5) of the *Planning Act, R.S.O. 1990, c. P.13*, for a period not exceeding three (3) years.

Motion Passed

2.4 Application - 230 North Centre Road (H-9234)

Moved by: A. Hopkins

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by Tricar Properties Limited, relating to the property located at 230 North Centre Road, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 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 R9 Special Provision Bonus (h-183/R9-7/B55) Zone TO a Residential R9 Special Provision Bonus (R9-7/B55) Zone to remove the “h-183” holding provision.

Yeas: (5): M. Cassidy, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Absent: (1): J. Helmer

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Application - 1176, 1200, 1230 Hyde Park Road and Portion of 1150 Gainsborough Road 39T-19502 (Z-9040)

Moved by: E. Holder

Seconded by: A. Kayabaga

That, on the recommendation of the Director, Development Services, the application by Northwest Crossing London Limited, relating to the property located at 1176, 1200, 1230 Hyde Park Road and a portion of 1150 Gainsborough Road, the proposed revised, attached, by-law BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 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 Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone and Open Space (OS1) Zone TO a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(*)*B(*)), a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(**)*B(*)), a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*)) Zone, a Holding Residential Special Provision (h*h-100*R5-7(**)/R6-5(**)/R7(**)*H12/R8-4(**) Zone, a Holding Residential Special Provision (h*h-100*h-18*R5-7(***)/R6-5(***)/R7(***)*H12/R8-4(***) Zone, an Open Space Special Provision (OS1(*) Zone and an Open Space Special Provision (OS5(*) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of high quality mixed-use apartment buildings and standalone apartment buildings with a maximum height of 22 metres (6-storeys), which substantively implements the site-specific “Design Criteria”;

Design Criteria:

Site Development

- Building Sitting:
 - o buildings shall be located along the majority of the Hyde Park Road and Street 'A' frontages to provide for a built edge along the street; and,
 - o all service and loading facilities associated with building shall be located within and/or behind buildings away from amenity areas and not visible from the public street;

- Pedestrian Connectivity:
 - o mid-block walkway connections from Hyde Park Road through Block 1 shall be provided between buildings fronting Hyde Park Road, leading to internal parking area and to walkways behind buildings leading to sidewalks along the northern and southern portions of Street 'A'; and,
 - o walkway connections from the sidewalk along Hyde Park Road shall be provided from both ends of the building for Block 2, with a further connection to the sidewalk along Street 'A';

- Access and Parking:
 - o vehicular access for both Blocks 1 and 2 shall be provided from Street 'A';
 - o no parking or vehicular drive isles shall be located between buildings and the Hyde Park road frontage; and,
 - o low masonry walls (max. 0.75m), complimentary in design to the buildings, shall be provided with a combination of landscaping to screen any parking located along the edge of Street 'A';

- Common Outdoor Amenity Areas:
 - o outdoor common amenity areas shall be provided for each building, alternatively these spaces can be combined into one, centrally located common outdoor amenity space per Block;
 - o these spaces shall be an appropriate size to provide adequate amenity for the proposed number of residents and provide the opportunity for passive and/or active recreation;
 - o these spaces shall be located within close proximity to a building entrance/exit. Alternatively a safe, appropriately sized, and conveniently aligned walkway connection(s) will be provided from the nearest building entrance/exit. If the spaces are combined into one centrally located space provide for walkways from each building to the space;
 - o enhanced landscaping shall be provided along the Hyde Park Road frontage in the form of small amenity areas and trees between buildings. Efforts will be made to provide opportunities for additional amenity space through site and building design, with the intention of providing spaces for residents and visitors to enjoy the outdoors and animating street frontages to facilitate pedestrian oriented environments;

Built form

- All buildings:
 - o the development shall feature contemporary building designs with a mix and articulation of building materials including brick, metal panels, concrete, wood veneer and vision and spandrel glass; and,
 - o buildings shall be designed in a way that breaks up the structures horizontally and vertically through articulation, architectural details, and an appropriate proportion and rhythm of windows and balconies;

- Buildings along Hyde Park frontage:
 - o the design for buildings facing Hyde Park Road shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back,

balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building;

- o buildings shall include active commercial uses along the Hyde Park Road frontage, and all main floor commercial unit entrances shall be oriented towards Hyde Park Road;

- o the ground-floor street façade shall be primarily comprised of vision glazing for views into and out of the building. Where vision glazing is not used, alternative urban design measures that contribute to an animated streetscape shall be required; and,

- o overhead protection from natural elements shall be provided above the first floor in locations such as pedestrian entrances where appropriate to architecturally differentiate the building base from the upper levels;

- Buildings along the Street 'A' frontage:

- o the development shall provide street-oriented features for residential buildings, including individual entrances to ground-floor residential units with operable and lockable doors, and pedestrian-scale features such as lighting and weather protection. Private amenity areas shall also be provided and may include enclosed courtyards with a combination of planters and low decorative fencing; and,

- o the design for buildings facing Street 'A' shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building;

b) the Approval Authority BE ADVISED that issues were raised at the public meeting with respect to affordable housing as it relates to the application for draft plan of subdivision of Northwest Crossing London Limited relating to a property located at 1176, 1200, 1230 Hyde Park Road and a Portion of 1150 Gainsborough Road; and

c) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Northwest Crossing London Limited (File No. 39T-19502), prepared by MHBC Planning, Project No. 16-200, dated March 18, 2020, which shows two (2) mixed-use residential blocks, two (2) medium density residential blocks, three (3) open space blocks, one (1) road widening block and two (2) 0.3 m reserve blocks, all served by one (1) local/neighbourhood streets (Street A), SUBJECT TO the conditions contained in Appendix "B" appended to the staff report dated September 8, 2020;

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 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;

- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods, Shopping Area and Green Space Place Type;

- the proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Policies for Specific Areas 10.1.3, cxlixii); and,
- the proposed and recommended zoning amendments will facilitate an appropriate form of mixed-use and medium density residential development that conforms to The London Plan and the (1989) Official Plan.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

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

Motion to open the public participation meeting.

Yeas: (5): M. Cassidy, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Absent: (1): J. Helmer

Motion Passed (5 to 0)

Moved by: A. Kayabaga
Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

3.2 Application - 3557 Colonel Talbot Road (Z-9003)

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

That, on the recommendation of the Director, Development Services, based on the application by 1423197 Ontario Inc. (Royal Premier Homes), relating to the property located at 3557 Colonel Talbot Road, the proposed attached, revised, by-law BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR4) Zone and Open Space (OS4) Zone TO a Residential R5 Special Provision (R5-6(_)) Zone, Open Space Special Provision (OS4(_)) Zone and an Open Space Special Provision (OS5(_)) Zone; it being noted that the provision of enhanced screening/privacy along the northern property line, including boundary landscaping along the north and west property boundaries, was raised during the application review process as a matter to be addressed at the Site Plan Approval Stage; it being further noted that the H-5 holding provision allows for a public participation meeting during site plan stage;

b) 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 are minor in nature;

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 PPS, 2020 because it encourages the development of an underutilized parcel within the settlement area and provides for an appropriate range of uses and opportunities for development;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Neighbourhoods Place Type and the Open Space Place Type;
- the recommended amendment confirms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation;
- the recommended amendment is consistent with the Southwest Area Secondary Plan, including the Lambeth Neighbourhood policies; and,
- the recommended amendment facilitates the development of an underutilized site within the Urban Growth Boundary with an appropriate form of infill development.

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

Nays: (1): E. Holder

Motion Passed (5 to 1)

Additional Votes:

Moved by: A. Hopkins

Seconded by: A. Kayabaga

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Moved by: A. Hopkins

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

3.3 Removing References to 1989 Official Plan from Zoning By-law Z.-1 (Z-8909)

Moved by: S. Turner

Seconded by: A. Hopkins

That, on the recommendation of the Director, City Planning and City Planner, the proposed by-law appended to the staff report dated September 8, 2020 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to amend Zoning By-law No. Z.-1 by deleting certain references to policy sections, land use designations, and map schedules of the 1989 Official Plan and by adding references to policies of the London Plan as required;

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the attached public participation meeting record made an oral submission regarding these matters.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Kayabaga

Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Moved by: A. Kayabaga

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

4. Items for Direction

4.1 5th Report of the London Advisory Committee on Heritage

Moved by: A. Hopkins

Seconded by: E. Holder

That the following actions be taken with respect to the 5th Report of the London Advisory Committee on Heritage from its meeting held on August 12, 2020:

a) that the following actions be taken with respect to the Notice of Planning Application, dated May 19, 2020, from L. Davies Snyder, Planner II, related to Official Plan and Zoning By-law Amendments with respect to the properties located at 1153-1155 Dundas Street:

i) L. Davies Snyder, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is in support of the preliminary research and findings of the Heritage Impact Assessment, dated March 16, 2020, from Zelinka Priamo Ltd.; it being noted that the LACH believes the smokestacks on the property to be a significant heritage attribute and supports incorporation and retention of the structure in the adaptive reuse of this heritage listed property; and,

ii) the above-noted Notice of Application BE RECEIVED;

b) that the following actions be taken with respect to the staff report dated July 13, 2020, with respect to Implementing Additional Residential Units Requirements of the *Planning Act* (Bill 108):

i) the Heritage Planners BE REQUESTED to review existing Heritage Conservation District plans and applicable planning policies to identify how additional residential units are addressed and report back at a future meeting of the London Advisory Committee on Heritage; and,

ii) the above-noted report BE RECEIVED;

c) that, on the recommendation of the Director, Development Services, with the advice of the Heritage Planner, the following actions be taken with respect to the request to demolish the building on the heritage designated property at 120 York Street, within the Downtown Heritage Conservation District:

- i) the above-noted request for demolition BE PERMITTED;
- ii) the Chief Building Official BE ADVISED of Municipal Council's intention in this matter;
- iii) the applicant BE REQUIRED to obtain final Site Plan Approval for the property; and,
- iv) the Heritage Planner BE REQUESTED to confirm and implement the appropriate mitigation measures with the property's owner and heritage consultant, in writing, in advance of the demolition of the building located at 120 York Street, in order to protect the adjacent heritage designated properties;

it being noted that the London Advisory Committee on Heritage does not believe that surface parking supports the heritage character of the Downtown Heritage Conservation District;

d) the staff report, dated August 12, 2020, with respect to a Heritage Alteration Permit Application by S. MacLeod, for the property located at 59 Wortley Road in the Wortley Village-Old South Heritage Conservation District, BE DEFERRED to a future meeting of the London Advisory Committee on Heritage;

e) 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 retroactive approval and approval for alterations to the property located at 70 Rogers Avenue, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the window replacements occur within one year of Municipal Council's decision;
- the sash windows feature the applied mullion detail (simulated divided light) on the exterior of the windows to replicate the fenestration pattern of the original windows; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

f) on the recommendation of the 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 the proposed alterations to the property located at 512 English Street, within the Old East Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the voussoirs consist of salvaged buff brick that matches the brick of the dwelling;
- the space in between the two windows be clad with salvaged buff brick;
- the sills of the new window openings consist of matching materials consistent with the remaining window openings on the dwelling; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

g) 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 retroactive approval for alterations to property located at 784 Hellmuth Avenue, within the

Bishop Hellmuth Heritage Conservation District, BE REFUSED; it being noted that the London Advisory Committee on Heritage encourages the applicant to engage with the Heritage Planners to identify a solution; and,

h) clauses 1.1, 3.1 to 3.4, inclusive, BE RECEIVED for information.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: E. Holder

Seconded by: A. Kayabaga

That the Managing Director, Planning and City Planner and the Managing Director, Development and Compliance Services & Chief Building Official BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration, with the exception of Item 4, Inclusionary Zoning.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

6. Confidential

6.1 Solicitor-Client Privilege/Litigation or Potential Litigation

Moved by: J. Helmer

Seconded by: A. Hopkins

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

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.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

The Planning and Environment Committee convenes, In Closed Session, from 5:46 PM to 6:12 PM.

7. Adjournment

The meeting adjourned at 6:13 PM.