

Planning and Environment Committee

Report

The 3rd Meeting of the Planning and Environment Committee
February 8, 2021

PRESENT: Councillors P. Squire (Chair), S. Lewis, S. Lehman, A. Hopkins, S. Hillier, Mayor E. Holder

ALSO PRESENT: H. Lysynski, C. Saunders and J.W. Taylor
Councillors A. Kayabaga, E. Peloza and M. van Holst; A. Anderson, G. Barrett, M. Corby, S. Corman, A. Dunbar, K. Edwards, C. Green, P. Kokkoros, G. Kotsifas, D. MacRae, L. Marshall, S. Meksula, L. Mottram, B. O'Hagan, B. Page, J. Parsons, J. Raycroft, K. Scherr, M. Schulthess, E. Skalski, J.-A. Spence, B. Somers, A. Thompson, M. Tomazincic, B. Westlake-Power and P. Yeoman
The meeting is called to order at 4:01 PM, with Councillor P. Squire in the Chair, Councillor S. Lewis present and all other Members participating by remote attendance.

1. Disclosures of Pecuniary Interest

That Councillor S. Lehman disclosed a pecuniary interest in clause 2.8 of this Report, having to do with the London Recovery Network - Ideas for Action by Municipal Council, as it relates to increase grant funding/building code for façade upgrades, by indicating that he is a tenant in the downtown area under construction.

2. Consent

Moved by: S. Lewis

Seconded by: A. Hopkins

That Items 2.2 to 2.7, inclusive, and Item 2.9 BE APPROVED.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.2 Application - 146 and 184 Exeter Road - Middleton Subdivision Phase 3 - Special Provisions

Moved by: S. Lewis

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 Sifton Properties Limited for the subdivision of land over Part of Lots 34, Concession 2, (former Township of Westminster) situated on the north side of Exeter Road, east of Wonderland Road South, municipally known as 146 and 184 Exeter Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the Middleton Subdivision - Phase 3 (39T-15501) appended to the staff report dated February 8, 2021 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 February 8, 2021 as Appendix “B”; and,

c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2021-D12)

Motion Passed

2.3 Application - 335 Kennington Way, 3959 and 3964 Mia Avenue - Removal of Holding Provision (Plan 33M-765) (H-9272)

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by 11031250 Ontario Inc., relating to lands located at 335 Kennington Way, 3959 and 3964 Mia Avenue, legally described as Part of Block 1, Plan 33M-765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M-765, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 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 R4 Special Provision/R5 Special Provision/R6 Special Provision (h*h-100*h-198* R4-6(10)/R5-4(23)/R6-5(51) Zone TO a Residential R4 Special Provision/R5 Special Provision/R6 Special Provision R4-6(10)/R5-4(23)/R6-5(51) Zone to remove the h, h-100 and h-198 holding provisions. (2021-D09)

Motion Passed

2.4 Application - 2725 Asima Drive (33M-699, Block 53) (P-9220)

Moved by: S. Lewis

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 Block 53, 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 February 8, 2021 BE INTRODUCED at a future Council meeting, to exempt Block 53, 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; and,

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 53, 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, 4, 6, 8, 10, 12, 14 and 16 by parts 1, 3, 5, 7, 9, 11, 13 and 15; 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 by-law affecting the Lots/Block in question. (2021-D25)

Motion Passed

2.5 Application - 3542 Emily Carr Lane (H-9281)

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Goldfield Ltd., relating to the property located at 3542 Emily Carr Lane, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 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 R5 (h-h-100-h-104-h-155-R5-7) Zone TO a Residential R5 (R5-7) Zone to remove the "h, h-100, h-104 and h-155" holding provisions. (2021-D08)

Motion Passed

2.6 Application - 1160 Wharnccliffe Road South (P-9238)

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

That, on the recommendation of the Director, Development Services, with respect to the application by Goldfield Ltd., the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years. (2021-D25)

Motion Passed

2.7 2020 Annual Development Report

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

That, on the recommendation of the Director, Planning and City Planner, the staff report dated February 8, 2021 entitled "2020 Annual Development Report" BE RECEIVED for information. (2021-A23)

Motion Passed

2.9 Building Division Monthly Reports - November 2020 and December 2020

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

That the Building Division Monthly Report for November and December 2020 BE RECEIVED for information. (2021-A23)

Motion Passed

2.1 2021 European Gypsy Moth (EGM) Proposed Management Plan

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

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the staff report dated February 8, 2021 entitled "2021 European Gypsy Moth (EGM) Proposed Management Plan" BE RECEIVED for information. (2021-D05)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.8 London Community Recovery Network - Ideas for Action by Municipal Council

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

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the following actions be taken with respect to the London Community Recovery Network:

a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 2.5 Increase grant funding/building code for façade upgrades;
- 2.6 Appoint a downtown lead at City Hall;
- 2.7 Create a business concierge service;
- 2.8 Create a core area champion at senior level; and,
- 2.9 Create an integrated economic development blueprint;

b) the Civic Administration BE DIRECTED to execute the implementation plans for ideas for action in support of London's community recovery from COVID-19 approved in a) above;

c) that \$250,000 BE APPROVED to implement the ideas approved in a) above and as set out in the business cases included in Appendix A to the staff report, noting that Municipal Council previously authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures;

d) the Civic Administration BE DIRECTED to waive the requirement of having all City property taxes paid in full for property owners eligible to receive grants in 2021 under the City's Upgrade to Building Code Loan, Façade Improvement Loan and Rehabilitation and Redevelopment Tax Grant Community Improvement Plan programs, provided that all other requirements have been met; it being noted that any grant funding will first be applied against outstanding property taxes owing; and,

e) the staff report dated February 8, 2021 entitled "London Community Recovery Network - Ideas for Action by Municipal Council" BE RECEIVED for information;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a communication dated February 1, 2021 from D. Szpakowski, CEO and General Manager, Hyde Park Business Improvement Association; and,
- the attached presentation. (2021-S08/S12)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: E. Holder

Motion to approve clause a) 1.3, which reads as follows:

"a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 1.3 A Break in the Clouds;"

Yeas: (2): A. Hopkins, and E. Holder

Nays: (4): P. Squire, S. Lewis, S. Lehman, and S. Hillier

Motion Failed (2 to 4)

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

Motion to approve clause a) section 2.5 which reads as follows:

"a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 2.5 Increase grant funding/building code for façade upgrades;"

Yeas: (5): P. Squire, S. Lewis, A. Hopkins, S. Hillier, and E. Holder

Recuse: (1): S. Lehman

Motion Passed (5 to 0)

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

Motion to approve clause a) 3.5, which reads as follows:

"a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 3.5 Provide better market data to attract new businesses;"

Yeas: (2): A. Hopkins, and E. Holder

Nays: (4): P. Squire, S. Lewis, S. Lehman, and S. Hillier

Motion Failed (2 to 4)

3. Scheduled Items

3.1 Application - 3195 White Oak Road (Z-9204)

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

That, on the recommendation of the Director, Development Services with respect to the application by 2748714 Ontario Inc., relating to the property located at 3195 White Oak Road, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 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 Urban Reserve Special Provision (h-94*UR4(11)) and an Urban Reserve (UR4) Zone TO a Residential R1 Special Provision (R1-3(21)) 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, and will serve to implement the policies of the Provincial Policy Statement, 2020 which encourage infill and intensification and the provision of a range of housing types, and efficient use of existing infrastructure;
- the proposed residential uses and scale of development are

consistent with the policies of the London Plan, the 1989 Official Plan, the Southwest Area Secondary Plan and the North Longwoods Area Plan policies; and,

- the subject lands are of a suitable size and shape to accommodate the development proposed. (2021-D08)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.2 Draft Plan of Vacant Land Condominium - 3087 White Oak Road 39CD-20511

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Whiterock Village Inc., relating to the property located at 3087 White Oak Road:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3087 White Oak Road; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3087 White Oak Road;

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. (2021-D07)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Lewis

Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lehman

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.3 Application - 185 Horton Street East

Moved by: E. Holder

Seconded by: S. Lewis

That, on the recommendation of the Director, Development Services, with respect to the application by 1524400 Ontario Inc., relating to the property located at 185 Horton Street East, the proposed revised, attached, by-law BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Arterial Commercial Special Provision (AC4(11)) Zone TO an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/residential apartment building with a maximum density of 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations appended to the staff report as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

i) a high quality development which substantially implements the site plan and elevations as appended to the staff report as Schedule "1" to the amending by-law:

Building Design

A) high quality architectural design (building/landscaping) including a common design theme for residential and commercial elements; and provision of structured parking facilities and screening for surface parking areas;

Underground Parking

A) underground parking structure parking provided to reduce surface parking areas (a minimum of 27 subsurface spaces provided);

Outdoor Amenity and Landscaping

- A) common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 7th, 12th and 16th floors;
- B) landscape enhancements beyond City design standards, including theme lighting; and,
- C) landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption;

Sustainability

- A) provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets;
- B) fosters social interaction and facilitates active transportation and community connectivity with Downtown; and,
- C) the subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active);

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 to Zoning By-law Z.-1 is consistent with the 2020 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 London Plan, including but not limited to the Key Directions, Homelessness Prevention and Housing policies, and City Design policies. The subject lands represent an appropriate location for residential intensification, along a higher-order street at the fringe of the downtown area, and the recommended amendment would permit development at a magnitude that is suitable for the site adding a connection between the downtown and abutting neighbourhood;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan including, but not limited to the Policies for the Main Street Commercial Corridor designation. The recommended amendment would permit development at an intensity that is at the upper range of the maximum density for residential intensification within the Main Street Commercial Corridor designation but still ensures the nature of development is suitable for the site and the immediate neighbourhood. The recommended amendment would help to reach the objective of supplying additional institutional housing choices and options for students attending educational institutions in the downtown;
- the recommended Zoning By-law amendment is consistent with the SoHo (South of Horton Street) Community Improvement Plan with the redevelopment of the Mixed Use Mainstreet District along Horton Street by facilitating development that complements the Mainstreet District on Horton Street E one block east of the subject site; and,
- the subject lands represent an appropriate location for institutional and residential intensification, along Horton Street and the recommended

amendment would permit an apartment/dormitory development at an intensity that is appropriate for the site and the surrounding neighbourhood. (2021-D08)

Yeas: (5): P. Squire, S. Lewis, S. Lehman, A. Hopkins, and E. Holder

Absent: (1): S. Hillier

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis

Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

None.

6. Confidential

6.1 Solicitor-Client Privilege / Litigation or Potential Litigation

Moved by: A. Hopkins

Seconded by: S. Lehman

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

6.1. Solicitor-Client Privilege

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: (5): P. Squire, S. Lewis, S. Lehman, A. Hopkins, and E. Holder

Absent: (1): S. Hillier

Motion Passed (5 to 0)

The Planning and Environment Committee convenes, In Closed Session,
from 6:01 PM to 6:12 PM.

7. Adjournment

The meeting adjourned at 6:13 PM.



London Community Recovery Network



Overview for PEC LCRN Ideas for Action



- On December 16th 2020, Strategic Priorities and Policy Committee (SPPC) 37 short term Ideas for Action were presented for consideration for implementation by the City of London
 - 12 were underway at the time of the SPPC committee, and continue
 - 25 come forward during the week of February 8th, 2021 to various Council Standing Committees
 - Planning and Environment Committee (February 8th) has 7 Ideas for Action included

Overview for PEC LCRN Ideas for Action



- There are 7 Ideas for Action as part of the Planning and Environment Committee report:
 - 1.3 A Break in the Clouds
 - 2.5 Increase grant funding/building code for façade upgrades
 - 2.6 Appoint a downtown lead at City Hall
 - 2.7 Create a business concierge service
 - 2.8 Create a core area champion at senior level
 - 2.9 Create an integrated economic development blueprint
 - 3.5 Provide better market data to attract new businesses
- 4 of the ideas are underway or in progress and will be delivered within existing budgets
- 3 Ideas for Action have attached business cases to support new investment
 - 1.3, 2.5, 3.5



Idea #1.3 – A Break in the Clouds

- \$100,000 one-time funding to the Downtown and OEV BIAs.
- Creation of a grant program to assist business owners with purchasing patio enclosures, furnishings and other materials for sidewalk patios.
- Operated through BIAs to allow for flexibility, coordination and responsiveness.



Idea #2.5 – Increase Grant Funding

- \$250,000 one-time funding.
- Creation of a grant program to assist business owners with façade and interior upgrades that address public health concerns and beautification.
- Provided through the existing Façade Improvement and Upgrade to Building Code incentive programs
- Available within eligible CIP areas where these programs are available.
- Grant may cover 100% of improvement cost up to a maximum of \$5,000 per business.

Idea #3.5 - Provide better market data to attract new businesses



- \$30k per year for 2021, 2022, 2023 for total of \$90k
- The City of London has been subscribing to Environics Analytics for several years to obtain data for planning and reporting – primarily demographic based data.
- Enterprise License to add additional Service Area users to subscription
- MobileScapes is an additional application offered by Environics Analytics that the City of London does not currently subscribe to – this provides movement pattern-based data using privacy compliant mobile data

PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – Application – 3195 White Oak Road (Z-9204)

- Councillor Squire: I don't know if there is a public presentation on this matter Mr. Yeoman or Mr. Barrett. Is there a presentation?
- Paul Yeoman, Director, Development Services: Through you Mr. Chair, no we don't have one because it is a fairly straight-forward matter and welcome all the public comments.
- Councillor Squire: Thank you very much. Any technical questions at this point in time? Not seeing any. Are there any, is there any public participation?
- Catharine Saunders, City Clerk: Yes Mr. Chair. We're going to first call on Mr. Allen to speak on behalf of the applicant and he will be moved in as a participant shortly.
- Councillor Squire: Thank you. We're hoping this works a little better than last time. We have a new system that we're testing out tonight I think.
- Scott Allen, MHBC: Good afternoon Mr. Chair, Members of the Committee.
- Councillor Squire: Thank you very much for joining us. This is Phil Squire. I'm the Chair. I'm sure you've done this before and if you haven't you have five minutes and I'll start the clock and we'll be happy to hear from you and you can start now.
- Scott Allen, MHBC: Thank you Mr. Chair and yes I have carried out several of these in the past. I would just like to add that I was anticipating that the staff report would be presented in accordance with the typical approach that was done in the past and so I didn't provide any sort of specific summary of the application itself. I did want to indicate that I'm acting on behalf of the applicant and with me this afternoon is Mohamed Abuhajar and he's also representing the applicant. At this time I wanted to express our support for the findings and recommendations of the staff report that was prepared by Mr. Meksula and I wanted to thank him for his assistance with the application process. Just briefly, the application itself, the intent of it is to ultimately permit four residential lots to be established on the subject lands and that lot pattern would effectively finish the subdivision, White Rock Village, which is located to the north and I wanted to advise the Committee that, with approval of this rezoning and subsequent severance that's needed to finalize those four lots, it's anticipated that housing construction will begin on those lands later this year. I'd like to thank you and we'll gladly answer any questions relating to this application.
- Catharine Saunders, City Clerk: Mr. Chair I am not sure if Mr. Abuhajar is speaking or just here for, to answer questions?
- Councillor Squire: You're, you're just here to answer any questions and be supportive. Correct?
- Mohamed Abuhajar: Correct.
- Councillor Squire: Thank you. There is, I've been indicated, I've been told there's no other public participation so I will need a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – Application – Draft Plan of Vacant Land Condominium - 3087 White Oak Road (39CD-20511)

- Councillor Squire: Thank you very much. Any technical questions for staff at this time? Okay. We'll move on to public participation. Are there any presentations?
- Catharine Saunders, City Clerk: Mr. Chair, Mr. Allen again is here to speak on behalf of the applicant.
- Councillor Squire: Mr. Allen.
- Scott Allen, MHBC: Thank you Mr. Chair.
- Councillor Squire: Good to see you again.
- Scott Allen, MHBC: That's right. I actually don't know if you can see me or not. I'm curious about that.
- Councillor Squire: No. Good to hear you again. How about that? Go ahead.
- Scott Allen, MHBC: I'd just like to say that, again, we'd like to express our support for the findings and recommendations of the planning report provided by Mr. Meksula and again, Mr. Abuhajar is available to answer any questions. We'd also like to advise the Committee that following approval of the draft plan of condominium, the removal of the holding provisions, Mr. Meksula spoke to that application, once those things are done this townhouse development is likely to proceed this year as well. Thank you. I'm glad to answer any questions.
- Councillor Squire: Thank you very much. I don't think there are any other presentations. I just need a motion, someone to close the public participation meeting.

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 185
Horton Street East.

WHEREAS 1524400 Ontario Inc. applied to rezone an area of land located at 185 Horton Street East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 185 Horton Street East as shown on the attached map comprising part of Key Map No. A.107, from an Arterial Commercial Special Provision (AC4(11)) Zone, to an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone;

- 2) Section Number 26.4 of the Arterial Commercial (AC) zone is amended by adding the following Special Provision:

AC4(__) 185 Horton Street East

- a) Additional Permitted Use:
 - i) Dormitory building

- 3) Section 2.0, Definitions, to By-law No. Z.-1 is amended by adding the following definition:

"Dormitory" - Means a residential building in association with and ancillary to an educational institution where residents have exclusive use of a bedroom with a separate entrance from a common hall and share common facilities such as washrooms, kitchens, lounges, recreation rooms and study facilities.

- 4) Section Number 4.3 of the General Provision in Zoning By-law Z.-1 is amended by adding the following new Bonus Zone:

4.3) B(__) 185 Horton Street East

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/dormitory apartment building with a maximum density of 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

- (a) A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

Building Design

- i) High quality architectural design (building/landscaping) including a

common design theme for residential and commercial elements; and provision of structure parking facilities and screening for surface parking areas.

Underground Parking

- i) Underground Parking Structure parking provided to reduce surface parking areas (a minimum of 27 subsurface spaces provided).

Outdoor Amenity and Landscaping

- i) Common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 7th, 12th and 16th floors.
- ii) Landscape enhancements beyond City design standards, including theme lighting.
- iii) Landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption.

Sustainability

- i) Provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets.
- ii) Fosters social interaction and facilitates active transportation and community connectivity with Downtown.
- iii) The subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active).

- 5) The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations:

i)	Density (maximum)	389 uph 3:1 ratio of 3 beds equals 1 dwelling unit, 296 beds converts to a density of 389 units per hectare
ii)	Height (maximum)	51 metres
iii)	Off Street Parking (minimum)	27 spaces
iv)	West Interior Side Yard Depth (maximum)	0.98m (3.2 ft)
v)	East Interior Side Yard Depth (maximum)	1.3m (4.3 ft)
vi)	Rear Yard Depth (maximum)	5.5m (18.0 ft)
vii)	Lot Coverage (maximum)	51%

The inclusion in this By-law of imperial measure along with metric measure is for the

purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

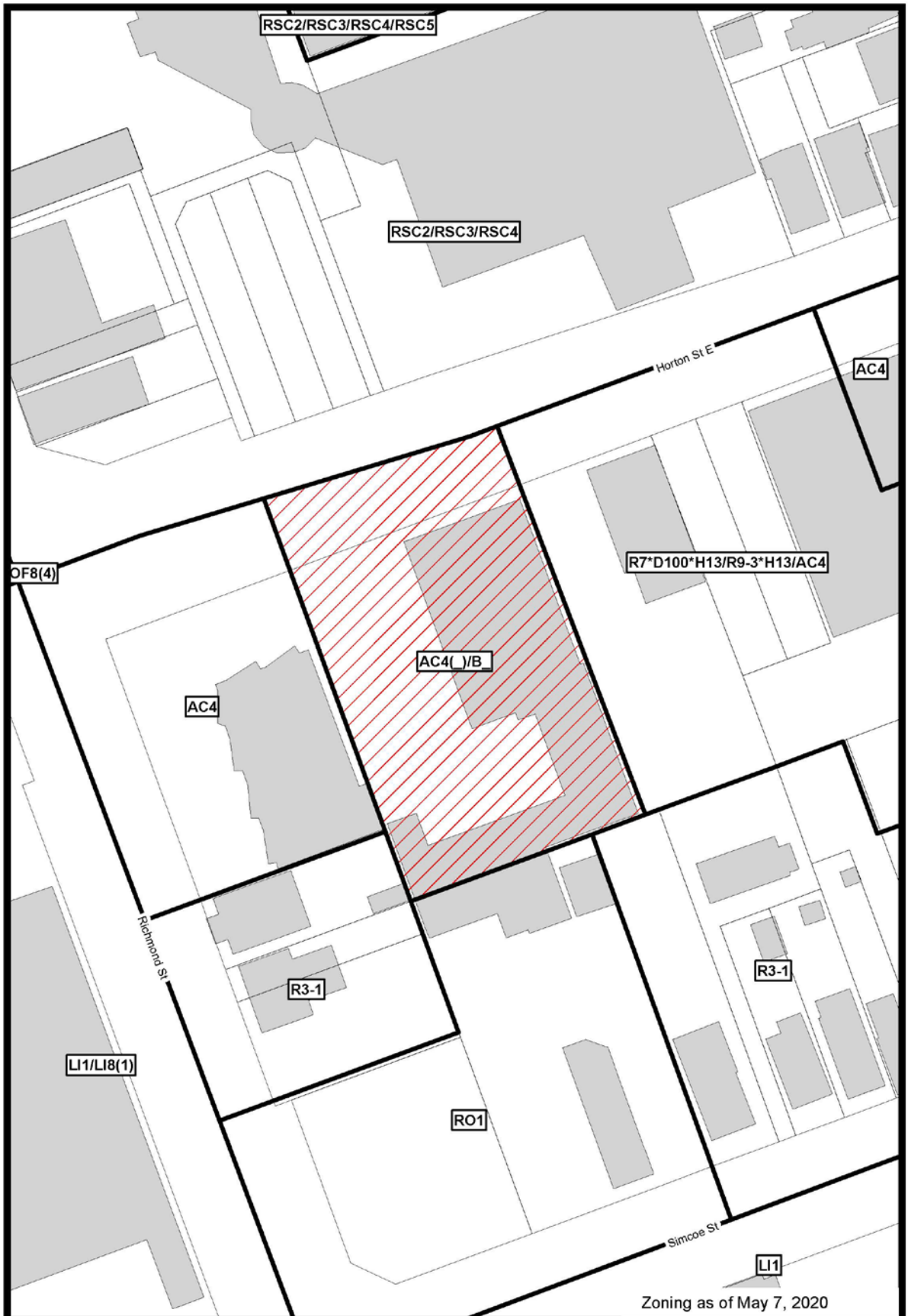
PASSED in Open Council on February 23, 2021

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9167
 Planner: SM
 Date Prepared: 2020/06/09
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

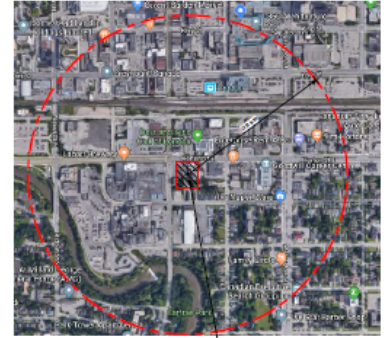
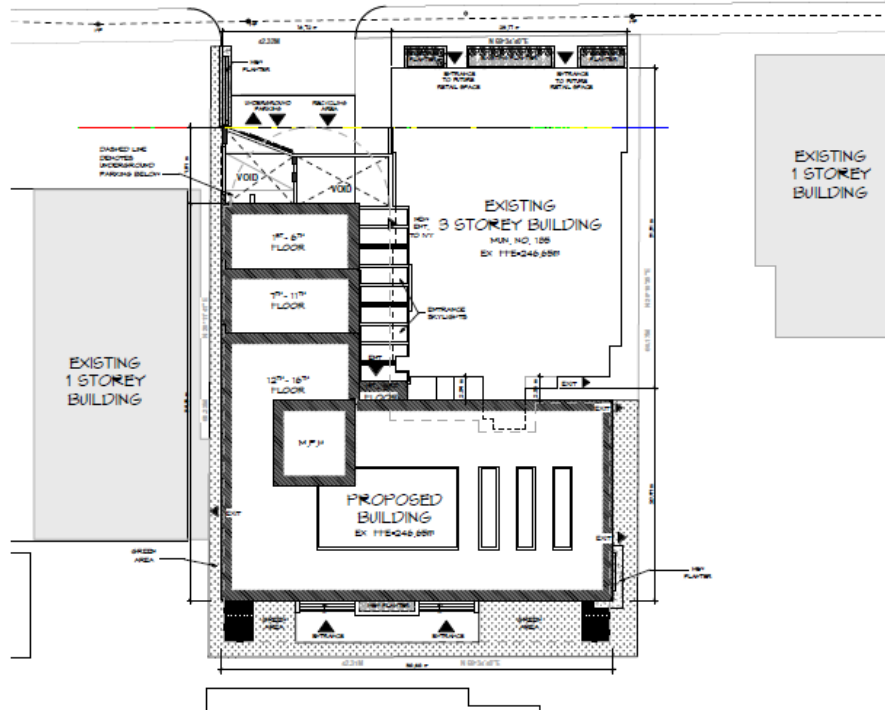
1:800

0 4 8 16 24 32 Meters



Schedule "1"

HORTON STREET EAST



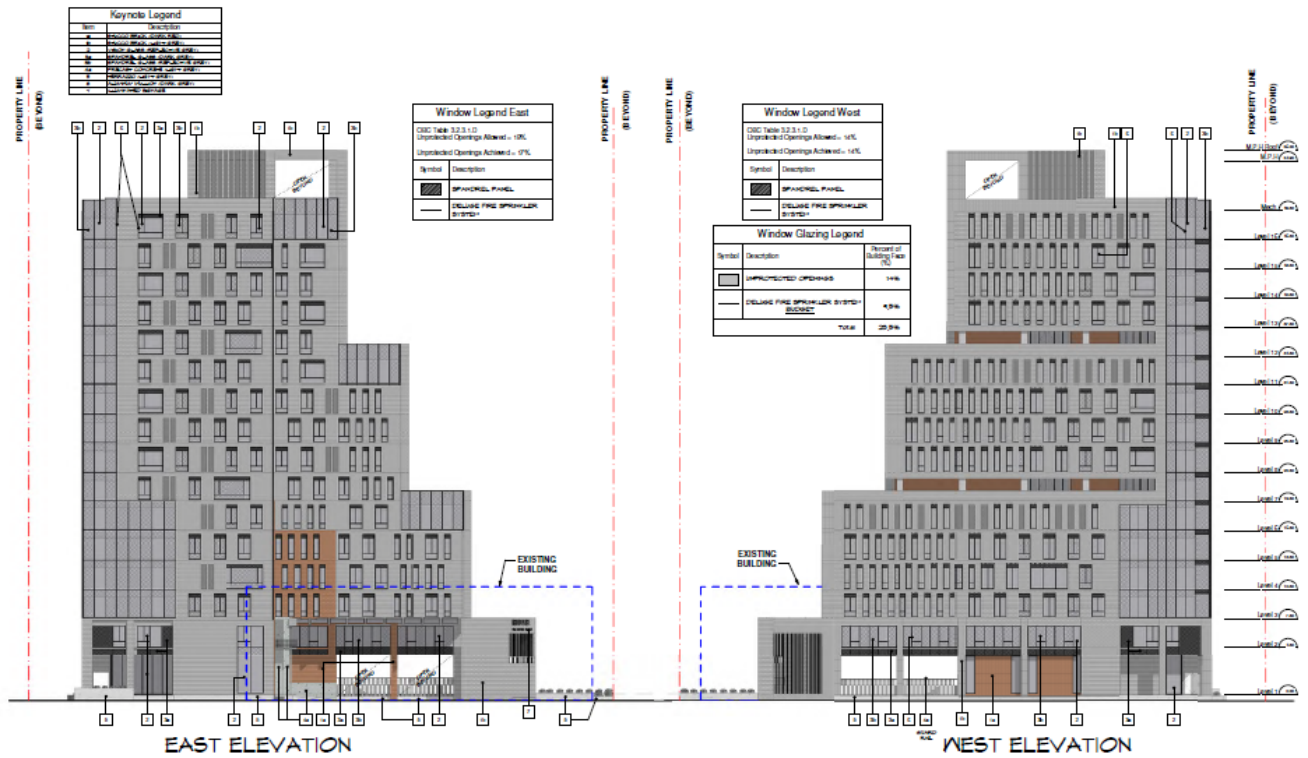
SITE CONTEXT PLAN



HORTON STREET VIEW

SITE PLAN





VIEW FROM NORTHEAST



VIEW FROM NORTHWEST



VIEW FROM NORTHEAST



VIEW FROM NORTHWEST

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Application – 185 Horton Street East

- Councillor Squire: Thank you very much. Any technical questions for staff? Councillor Hopkins and Mayor Holder after that.
- Councillor Hopkins: Yes and thank you for the presentation. It, a question around the fire suppression system. You said that we're getting, we're going to have more, could you explain a little bit more what a fire suppression system is?
- Councillor Squire: Go ahead.
- Sean Meksula, Senior Planner: Through the Chair, the fire suppression system, because there's more openings on the building and because it's closer to the existing building to the east they'd have to have more sprinkler systems within the building to accommodate for that so they've gone forward and spent the extra money to accommodate the windows and the fire suppression at their cost which has been very supported by the City.
- Councillor Councillor Squire: Thank you.
- Councillor Councillor Hopkins: Thank you and I have one other technical question.
- Councillor Squire: Go ahead Councillor.
- Councillor Hopkins: It relates to the definition of what a dormitory is and it says that it is, it's an, it's an auxiliary to an educational institution where residents have exclusive use of a bedroom with a separate interest, etc., etc. My question is does it just pertain to an educational use, a dormitory, in other words can it be used for another means of allowing, if changes are made and it doesn't come to fruition, what this building is going to be used for, can it be used for opportunities to house, you know, people that need housing?
- Councillor Squire: Go ahead.
- Sean Meksula, Senior Planner: Through the Chair, throughout this process we've taken that into consideration and in the event that the building were to change hands in the future, the dormitory use would only be in existence for this use and any conversion of this building would be required to go through our Zoning By-law Amendment to allow for any apartment type use to, because of the density in this area. That being said, if they were to, Council could, they also can come back in and change the definition of dormitory or put a different definition in there so be it by another applicant but right now it's just for this specific use.
- Councillor Hopkins: I understand with that answer that it would require a zoning application to change the definition of what a dormitory is.
- Sean Meksula, Senior Planner: That's correct.
- Councillor Hopkins: Thank you.
- Councillor Squire: Thank you Councillor. Mr. Mayor you had a technical question? I think you're still on mute Mr. Mayor. Thank you.

- Mayor Holder: Thanks Chair. Staff have answered the question on fire suppression. Thank you.
- Councillor Squire: Thank you very much. If there's no other technical questions we'll go to the public for any presentations.
- Catharine Saunders, City Clerk: Mr. Chair, the agent for the applicant, Mr. Kulchycki is ready to speak.
- Councillor Squire: Go ahead sir.
- Thank you. Good evening Chair and Members of the Committee. My name is Casey Kulchycki, I'm a Planner with Zelinka Priamo Ltd. representing the applicant on this project, The London International Academy. First, I just want to say thanks to Sean and the staff of Development Services for their work on this. We have been working diligently with staff over the last year to get to this positive staff report tonight. We've reviewed the staff report and we are in agreement with its recommendation. I am joined by Paul Loretto of L360 Architecture, the architect on this project as well as Alex Neil from the London International Academy in case Committee Members have any questions that they might be able to address but we are in agreement with the recommendation and dial we look forward to working with staff through the site plan process. Thank you.
- Councillor Squire: Thank you very much. Any other public presentations?
- Catharine Saunders, City Clerk: Through you Mr. Chair, Mr. Turner, Scott Turner, who owns the building next door, I believe he wishes to speak.
- Councillor Squire: Is he on?
- Scott Turner, Perfomaxx Properties: Yes.
- Councillor Squire: Mr. Turner it's your opportunity to present. You could, you can speak for up to five minutes and you're starting right now.
- Scott Turner, Perfomaxx Properties: Thank you very much. Yes, I am President of Performaxx Properties. I own the five-unit single story property that's contiguous on the west side. Generally, I support the project. I think it's great for the city, the owner, great for the students and the immediate community; however, I have a few concerns as it relates to my building. To be honest I'm not really sure of the form to address my concerns. I don't know if it's now or at the site planning meeting or directly with the owner or designer/developer.
- Councillor Squire: If you ask the questions, we will try to get you answers to whether this is you we can answer today or whether there's another form.
- Scott Turner, Performaxx Properties: Perfect. On that note I do want to thank Sean and Michael, they've been excellent and helpful over the last few weeks and, and ten months ago when I first broached the issue with them. I have two areas of concern; one is related to the close proximity of this new building relative to mine. At the narrowest it's less than a meter between our buildings, so that's quite a narrow corridor between our buildings and as you know corridors can create problems. I'm not sure how they're planning on controlling the access or is it a thoroughfare; I don't know what the fencing plan is, how will it work vis a vis my property; I don't know if they've got a lighting plan, it is very dark, it invites some bad characters. I don't know if they're planning on having cameras there; unfortunately, with the Labatt's beer store across the street it sometimes attracts some problems with the homeless. I've had three broken windows and two

break and enters in the last year. I'm also worried about unauthorized access to my roof. I've had the copper stolen from one of my HVAQ units in the last year causing me six thousand dollars of damage. Shifting gears a little bit, I don't know what the tie back plan is. I know they've got an underground garage planned and again it's less than a meter from my building. My biggest issue is probably related to snow load; right now I basically have no snow as it blows off my property, blows off of my building I should say. I'm certainly not an expert on wind or snow accumulation but I do know that the closer the building is to mine the more I will get wind drifts and heavy snow build up on my roof. I'm not sure if a study has been done; if not, I think one should be. That's my first area of concern related to the proximity of the building. My second area of concern is really during the construction process and again it's more related to the close proximity of the building to mine but there are some issues during the construction such as dust, etcetera. I have got five HVAC units on my roof and I'm a bit concerned about the dust, also debris and damage to my building being so close. I'm not sure what their crane plan is or what their swing requirements, I'm not sure how the management of the contractors is going to work and as we know sadly accidents do happen. I have no information on any of these issues, I've had no contact with the owner and I found out through the City's public disclosure process. Just to summarize I'm not sure how or what form I can get some of my issues resolved so that's my five minutes. Thank you very much.

- Councillor Squire: Thank you. I will try to get you answers to your questions if you, if you stay around and listen I'll, I'll make sure that staff or the owner addresses those. Any other presentations? There are no other presentations I understand. I need a motion to close the public participation meeting. Before we go on I wonder if, if either staff and the applicant wants to help to answer the questions we heard and just so I understood, the first concern was proximity of the buildings and the lane way that it creates between the two in terms of the laneway in between and also the idea of there being wind, wind on top that might create a snow load so I'll start with staff and then maybe the applicant can help.
- Sean Meksula, Senior Planner: Through the Chair I think Mr. Kokkoros might be able to help with the snow load question. Thank you.
- Councillor Squire: Alright.
- Peter Kokkoros, Deputy Chief Building Official: Thank you Mr. Chair. The question, if I understood it correctly arose with respect to concerns the adjacent owner has on potential additional snow loading on the, what would become the lower roof as a result of this development. The Building Code does acknowledge snow drift loads when roofs have differences in elevation or when there are particular obstructions on the roof but the Building Code is basically concerned with the confines of the property itself so in other words if a property had two buildings and there were different elevations we would consider snow drift on the lower roof. In this particular case the Building Code does not go outside the confines of the particular property and this, in our opinion, would become a civil matter between two adjacent owners. In fact many years ago we consulted with the City of Toronto and that's not an issue unknown to them when it comes to this type of development. Basically what we have agreed to do is provide some type of notification on the drawings that would let the developer know that there may and I stress may be additional snow drift loading on the adjacent roof and that the developer it might be a good idea for them to contact the adjacent owner and sort of sort things out but the Building Code is clear under Section Eight of the *Building Code Act*, the Chief Building Official shall issue the building permit unless any applicable law is contravened or the regulation itself is contravened and in this case that specific item will not be deemed as a contravention of the Building Code.

- Councillor Squire: Thank you and then the other issues which were the close proximity causing unauthorized persons between the buildings and some unauthorized access to the roof, can staff help with that at all?
- Sean Meksula, Senior Planner: Through the Chair, through this development it would probably help with the abutting use because I imagine in this building the applicant would provide more lighting for the property for people walking in because I know there's an entrance at the back of the building so there would probably be a better lighting for individuals walking through there and fencing between the buildings. That may or may not be an issue of letting people up on top of the roof. I'm not sure what the developer has for plans for this, if they have any mitigations themselves because they would be impacted by the same issues I would imagine.
- Councillor Squire: Alright.
- Sean Meksula, Senior Planner: I don't know if they could answer that question.
- Councillor Squire: Okay, if the applicant, if you have any comments on that concern?
- Casey Kulchycki, Zelinka Priamo Ltd.: Just yes, certainly just with regards to the, to the separation distance property line to our building given the narrowness of that space, typically what we see through the site plan is we would block that off with some sort of a blockade fencing or bollard or some sort of other blockade, just because of those items that the adjacent landowner brought up; it's, it's a space that just it attracts trouble and so we try to mitigate access. In addition to that, this is going to be used as a dormitory so we really want accesses to the building and the amenity spaces to the building to be really secure for the residents given that they are high school age students, so again, that's, you know, we pretty much just want to focus access through the main entrances off the roadway and not have any ability to kind of circumvent those access points to get to the rear of the property through these narrow side yards. Through the site plan process I would be anticipating that those narrow distances between the building and the property lines would be blocked off to prevent those activities from occurring as best we can and just to kind of expand on Mr. Meksula's comments, this proposed building will bring additional lighting just through new exterior lighting and then also just lighting that spills out through the windows on the elevation so it will add some additional lighting to help, to again help deter those activities kind of during the evening hours. We're hoping through the site plan process will be able to address a lot of these concerns that the adjacent landowner has brought up.
- Councillor Squire: Thank you and just briefly if staff could just talk about the construction concerns in terms of dust, damage and debris, very briefly for this gentleman.
- Sean Meksula, Senior Planner: Sure. Through the Chair, during the construction process there will be mitigations put in place to control dust and debris to make sure it doesn't impact the abutting buildings and uses; that being said if stuff does happen and the neighbouring properties find there are issues with the construction they can always contact the City in which we would have somebody go out and deal with those issues.
- Councillor Squire: Thank you. I'm sorry Committee I just thought I would get those questions answered.