

Planning and Environment Committee

Report

The 7th Meeting of the Planning and Environment Committee
April 26, 2021

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

ALSO PRESENT: M. Ribera and C. Saunders

Remote Attendance: Councillor M. Cassidy; A. Anderson, G. Barrett, M. Feldberg, P. Kokkoros, G. Kotsifas, H. Lysynski, C. Maton, H. McNeely, S. Meksula, L. Mottram, B. Page, M. Pease, J. Raycroft, C. Smith, M. Tomazincic and P. Yeoman

The meeting is called to order at 4:00 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 it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lehman
Seconded by: S. Hillier

That Items 2.2 to 2.6, inclusive, BE APPROVED.

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

Motion Passed (5 to 0)

2.2 3700 Colonel Talbot Road and 3645 Bostwick Road - W-3 Farms Subdivision - Phase 1 - Special Provisions (39T-17503-1)

Moved by: S. Lehman
Seconded by: S. Hillier

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 W-3 Lambeth Farms Inc., for the subdivision of lands bounded by Bostwick Road to the east and Colonel Talbot Road to the west; mid-block between Pack Road and the planned Kilbourne Road extension; it being noted that the subject sites, approximately 53.0 ha (130.9 ac) in size, are generally described as Part of Lots 74 and 75, Concession East of the North Branch of Talbot Road (Westminster):

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and W-3 Lambeth Farms Inc., for the W-3 Farms Subdivision, Phase 1 (39T-17503) appended to the staff report dated April 19, 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 April 26, 2021 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 26, 2021 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 fulfill its conditions.

Motion Passed

2.3 3493 Colonel Talbot Road (H-9284)

Moved by: S. Lehman
Seconded by: S. Hillier

That, on the recommendation of the Director, Development Services, with respect to the application by York Developments, relating to the property located at 3493 Colonel Talbot Road, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 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 R1 Special Provision (h*h-100*R1-8(5)/R1-8(8)) Zone TO a Residential R1 Special Provision (R1-8(5)/R1-8(8)) Zone to remove the "h and h-100" holding provisions.

Motion Passed

2.4 1635 Commissioners Road East and 2624 Jackson Road - Extension of Draft Plan Approval (39T-06507)

Moved by: S. Lehman
Seconded by: S. Hillier

That, on the recommendation of the Director, Development Services, with respect to the application by Drewlo Holdings Inc., relating to the lands located at 1635 Commissioners Road East and 2624 Jackson Road, the Approval Authority BE ADVISED that the Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision SUBJECT TO the conditions appended to the staff report dated April 26, 2021 as Appendix "A" (File No. 39T-06507).

Motion Passed

2.5 2015 Shore Road - Removal of Holding Provisions (H-9251)

Moved by: S. Lehman
Seconded by: S. Hillier

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2015 Shore Road, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 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 R6 Special Provision/ Residential R7 Special Provision (h•h-206• R6-5(42)/R7(22)• D115•H30) Zone TO a Residential R6 Special Provision/Residential R7 Special Provision (R6-5(42)/R7(22)•D115•H30) Zone to remove the h and h-206 holding provisions.

Motion Passed

2.6 3924 - 4138 Colonel Talbot Road - Heathwoods Subdivision - Phase 2 - Special Provisions (39T-12503-2)

Moved by: S. Lehman
Seconded by: S. Hillier

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 Auburn Developments Inc., for the subdivision of land over situated on the east side of Colonel Talbot Road, north of Lambeth Walk, municipally known as 3924-4128 Colonel Talbot Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Auburn Developments Inc., for the Heathwoods Subdivision, Phase 2 (39T-12503) appended to the staff report dated April 26, 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 April 26, 2021 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 26, 2021 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 fulfill its conditions.

Motion Passed

2.1 420 Fanshawe Park Road East (H-9320)

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

That, on the recommendation of the Director, Development Services, with respect to the application by 2431602 Ontario Limited, relating to the property located at 420 Fanshawe Park Road East, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 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 Residential R1 Bonus (h-5*R1-7*B42) Zone to remove the "h-5" holding provision;

it being noted that the Planning and Environment Committee reviewed and received a communication dated April 12, 2021, from F. Sun, by email. (2021-D09)

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

Motion Passed (6 to 0)

3. Scheduled Items

3.1 3rd Report of the Environmental and Ecological Planning Advisory Committee

Moved by: E. Holder

Seconded by: A. Hopkins

That, the following actions be taken with respect to the 3rd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on April 15, 2021:

a) the 3095 Bostwick Road Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for a consideration

b) the Civic Administration BE REQUESTED to consult with the Environmental and Ecological Planning Advisory Committee (EEPAC) on the location of the proposed pathway from the storm pond to White's Bridge; it being noted that the EEPAC reviewed and received mapping from S. Levin, with respect to this matter;

c) the Civic Administration BE REQUESTED to report back at a future Planning and Environment Committee meeting with respect to the feasibility of continuing with the homeowner education package as part of Special Provisions or to replace it with a requirement to post descriptive signage describing the adjacent natural feature; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) was asked to undertake research on best practices of other municipalities to assist in determining the best method(s) of advising new residents as to the importance of and the need to protect, the adjacent feature; and,

d) clauses 1.1, 2.1, 2.2, 4.1 to 4.5, inclusive, BE RECEIVED for information;

it being noted that the Planning and Environment Committee heard a verbal delegation from S. Levin and reviewed and received aerial maps relating to these matters.

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

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to approve the following:

“c) the Civic Administration BE REQUESTED to report back at a future Planning and Environment Committee meeting with respect to the feasibility of continuing with the homeowner education package as part of Special Provisions or to replace it with a requirement to post descriptive signage describing the adjacent natural feature; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) was asked to undertake research on best practices of other municipalities to assist in determining the best method(s) of advising new residents as to the importance of and the need to protect, the adjacent feature; and,”

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

Motion Passed (6 to 0)

3.2 526 Oxford Street East (OZ-9303)

Moved by: S. Lehman

Seconded by: E. Holder

That, on the recommendation of the Director, City Planning and City Planner the following actions be taken with respect to the application by 2773070 Ontario Inc. and The Corporation of the City of London, relating to the property located at 526 Oxford Street East:

a) the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend the Official Plan for the City of London (1989) to ADD a policy to Section 10.1.3 – “Policies for Specific Areas” to allow the site to develop with a personal service establishment with a maximum floor area of 140m²;

b) the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Residential R3/Office Conversion (R3-1/OC5) Zone TO a Residential R3/ Office Conversion Special Provision (R3-1/OC5 (*) 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 noted that the Planning and Environment Committee reviewed and received the staff presentation with respect to this matter;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020 which promotes an appropriate range and mix of uses in a settlement area;
- the recommended use conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate the development of a mix use building in the Urban Corridor Place Type;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to, Chapter 10 – Policies for Specific Areas, which allows Council to apply specific policies where the change in land use is site specific and located in an area where Council wishes to maintain the existing land use designation while allowing for a site-specific use: and,
- the recommended Zoning By-law Amendment implements an appropriate use and intensity for the site which is compatible with the surrounding area.

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

Motion Passed (6 to 0)

Additional Votes:

Moved by: E. Holder

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: A. Hopkins

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 1701-1737 Richmond Street (Z-9291)

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, with respect to the application by Richmond Hyland Centre Inc. c/o Westdell Development Corporation, relating to the property located at 1701-1737 Richmond Street, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 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 Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone TO an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, 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 recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Transit Village Place Type and Key Directions; and,

- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Enclosed Regional Commercial Node designation.

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. Lewis

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)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 4:50 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – 526 Oxford Street East (OZ-9303)

- Councillor Squire: I see Terra Nichols, you have a report. Sorry? Oh. Is there a staff report for this? Sorry, Ms. Nichols, I see you on the screen, I don't know why. You're on mute now. You're on mute. I can't hear you because you are on mute.
- Terra Nichols, Applicant: Hello.
- Councillor Squire: Are you with the applicant?
- Terra Nichols, Applicant: I am the applicant and then.
- Councillor Squire: Okay, that's fine. I was just trying to determine who you were, and I saw you on the screen, I wasn't trying to put you on the spot. Mr. Campbell, we'll come to you in a second, I want to see if there's a staff presentation.
- Terra Nichols, Applicant: Okay. No problem. Yep. Matt should be on soon.
- Councillor Squire: Staff? Okay. Thank you very much. Any technical questions only from the Committee? Councillor Hopkins.
- Councillor Hopkins: Yeah, thank you. I do have a technical question for Mr. Smith and I appreciate the update here in the presentation. The boulevard parking, I'm not exactly sure how that works. If you can sort of further explain that, when I look at the map I see there's additional parking because of that wide boulevard but is, when we, if this is approved to move forward would it be up to the applicant to proceed with the boulevard parking and is this how it is going to look like? I would just like further understanding of the extra parking that may be required.
- Craig Smith, Senior Planner: Thank you.
- Councillor Squire: Go ahead Mr. Smith.
- Craig Smith, Senior Planner: Thank you Councillor. Through you, Chair, as shown on the map that I had put in with the presentation, yes, as noted, there's the two blue spaces are the actual two spaces that are permitted right now with boulevard parking agreement with the City of London. The balance of the lands are non-conforming spaces so the request, and we're satisfied that the existing parking conditions, excluding the non-conforming conditions that are there, can accommodate parking, can accommodate the use as parking can be fronted on William Street and also alternate forms of transportation can be taken to the site but what we are suggesting is that the applicant would go and apply for boulevard parking to see if they can create more spaces in the boulevard if that's appropriate, but, if not, like I had indicated, the existing situation is, is sufficient to accommodate the proposed use.
- Councillor Squire: Thank you. Mayor Holder?
- Mayor Holder: Thanks very much Chair. I'm somewhat familiar with that area of boulevard parking insofar as our family business is at Waterloo and Oxford, just down the street, but I thought that was, if I recall, for the boulevard parking that we applied for as well, which, by the way, is a bit misleading it just means the

right from the center of the road to the property line controlled or owned by the City and you can rent that, which we did but ours was a thirty foot so I'm just trying to understand how one gets to go from thirty to forty, is that just a function of, is that a geographic designation or is it just depending on how the space is configured?

- Councillor Squire: Mr. Smith?
- Craig Smith, Senior Planner: Through you Chair, the reference to the forty meter road allowance is the actual distance from one side of the property line across the street to the other side of the property line. In the old neighbourhood, the Old North neighbourhood, was laid out with these incredibly large, at the time I think it was as the military liked it, was these wide boulevards and the boulevard is actually forty meters wide from one property line across the street to the other property line. I was referring to the size of the actual parking spaces in the boulevards themselves.
- Mayor Holder: And I understood that last point to be the case. Thank you very much for that clarity though. It isn't a function of the size of the property itself, not the, not necessarily that in one spot it's thirty, in one it's forty just by geography.
- Craig Smith, Senior Planner: Yes, that's correct. Thank you.
- Mayor Holder: Okay. That's helpful. Thank you very much Mr. Chair.
- Councillor Squire: Any other technical questions? There being none then we are going to the public and I will let the applicant speak first and Mr. Campbell, I wonder, you heard a little bit of talk about parking, so it would be wise probably to address the issue of what your client's plans are with regards to boulevard parking that has to be applied for. That would be helpful.
- Matt Campbell, Zelinka Priamo Ltd.: Sure. Thanks very much for Mr. Chair. My name is Matt Campbell and I'm with Zelinka Priamo, here on behalf of the applicant, Terra Nichols. I'm in agreement with everything that Mr. Smith has said. We have reviewed the draft by-law and are certainly in agreement with that. Certainly would encourage Planning Committee to endorse the proposal. I think we can all agree that this is a valuable and desired use along this portion of Oxford Street and I can tell you we are going to be coming in with more applications for similar type uses in the immediate area very soon. It's consistent with the direction that Council has set forward in The London Plan and we're very excited for these types of uses to be coming on board on this section of Oxford Street. In regards to the boulevard parking, what I can say is that this is an existing situation that has existed for quite some time. When my client, Terra Nichols, purchased the property, the boulevard parking was already existing. At this time there's no plans to change that, the parking situation functions well for the site and as Mr. Smith pointed out, completely sufficient for the operation of both the existing building and the building as it's proposed to be used so we don't have any concerns about the boulevard parking right now and if my client wants to take further steps and look at a different parking configuration, perhaps she may do that in the future. I don't believe that there's any proposals to do that at this time. I don't believe I have anything more to add to the discussion other than the questions that have already been asked and the information provided either by Mr. Smith. I will ask if my client Terra has anything else to add for the Committee's consideration. Now is your opportunity Terra to address the Committee and provide any other information that they wish to hear or about the use.
- Terra Nichols, Applicant: Okay. Can you hear me?

- Councillor Squire: We can hear you, but we can't see you. We could see you before, now we are just hearing you which is sufficient. That's fine.
- Terra Nichols, Applicant: Okay. I'm not sure what happened there.
- Councillor Squire: Don't worry.
- Terra Nichols, Applicant: We purchased this building six to eight months ago. My husband does Botox and filler so under medical is kind of what our real estate agent, I guess, did. We had a commercial agent, he knew we had a hair salon as well. We're a small business, we've been open three years, with Covid this has been a tough year in general but we did go through the right measures when we bought the building, we just trusted our agent and I guess should have called the City. It was our first commercial buy and we learned our lesson but it's a small business, it's our family business, we're just excited to get up and going again and we're renting a temporary location which isn't in the best neighbourhood so we're excited to move so this is a very stressful time of year with Covid and everything else but we are going to take great care of that building, you know, we've already repainted the parking lot, working on the gardens, we painted the building. We're going to be great tenants. We're just hoping that we can, you know, move forward with both of our businesses not just my husband's and that's what we had bought the business for. Hopefully you guys can allow this to go through and we will be great commercial property owners.
- Councillor Squire: Thank you very much. You're very lucky, you are proposing a development in Ward 6 which, as most of my colleagues know is the best Ward in the City of London bar none so that's a really good start overall.
- Mayor Holder: It's certainly one of 14 Chair.
- Councillor Squire: Alright. Alright. So with that we'll see if there's anybody else from the public that wants to address the Committee. Is there anyone? There doesn't appear to be anyone so I'll ask for public participation once, twice, three times. Motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – 1701-1737 Richmond Street (Z-9291)

- Councillor Squire: The application? Go ahead. I wonder if you could, sorry, I don't mean to interrupt, could you speak up a little bit, you're very faint right now.
- Catherine Saunders, City Clerk: Yes, that is better.
- Councillor Squire: Thank you very much. Any technical questions from the Committee? Mayor Holder.
- Mayor Holder: Thanks very much Chair. Through you to staff I've been looking at the report that's been provided and I acknowledge the building that is currently going up on that corner now and I want to confirm just because there's been a reference to Michael's retail and this food store as so I just want to clarify in my mind exactly what is going where, for example, where that food store will precisely be located is in that new development structure or will it be in the current and is there going to be some mix and move. Can you just help me with that please a little bit.
- Councillor Squire: Go ahead staff.
- Catherine Maton, Senior Planner: Through you Mr. Chair, staff is unaware at this time where the proposed food store is going to be located, perhaps the applicant will be able to address this question and provide a little more detail on where onsite the food store will be.
- Councillor Squire: That's great. I saw the applicant online a second ago or the applicant's agent. Perhaps we could get that question answered now. I think knowing where something is going to be located is technical. Highly technical.
- Mayor Holder: Highly.
- Councillor Squire: If he's not on right now Mr. Mayor would you be prepared to just revisit that with him when he comes on?
- Mayor Holder: Absolutely.
- Councillor Squire: Thank you.
- Mayor Holder: Thank you.
- Councillor Squire: Any other technical questions?
- Laverne Kirkness, Strik Baldinelli Moniz: Mr. Chair I, I, sorry I can't, I guess my camera, I can't turn my camera on but I am here.
- Councillor Squire: Okay. Did you hear the Mayor's question?
- Laverne Kirkness, Strik Baldinelli Moniz: I can say to the Mayor that we, we don't have a precise location for the food store at this point. It's not going in the new buildings that are under construction, they're already leased out. This was more of a longer-term endeavour and if we were going to look at any specific site, it could be kind of the National Sports because that's not, that's kind of a tenant that's not, maybe that's going to be replaced. We don't really have it nailed down at this point, it's kind of a longer-term investment for us.

- Mayor Holder: So to be clear from a technical standpoint, Chair, we're not talking about adding buildings beyond what are existing on the current site?
- Laverne Kirkness, Strik Baldinelli Moniz: That's correct Sir.
- Mayor Holder: That's helpful. Thank you very much. That's helpful.
- Councillor Squire: Thank you. Any further technical questions? There being none we will go to the public; we'll start with the applicant. Do you have anything you wish to say Mr. Kirkness?
- Laverne Kirkness, Strik Baldinelli Moniz: Yes Mr. Chair and thank you and members of the public. Catherine has done a bang up job on the report and it's certainly in line with what we applied for and we agree with it and we hope the Planning Committee does too so thank you very much.
- Councillor Squire: Thank you very much Mr. Kirkness. Anybody further from the public that I, it doesn't appear so so I'll just ask for public input once, twice. No input so we'll make a motion to close the public participation meeting.