

Planning and Environment Committee

Report

9th Meeting of the Planning and Environment Committee
April 25, 2022

PRESENT: Councillors A. Hopkins (Chair), S. Lewis, S. Lehman, S. Turner, S. Hillier, J. Morgan

ALSO PRESENT: PRESENT: Councillor J. Fyfe-Millar; H. Lysynski and K. Van Lammeren

REMOTE ATTENDANCE: Councillors M. van Holst, M. Cassidy and M. Hamou; L. Livingstone, I. Abushehada, G. Barrett, G. Belch, J. Bunn, M. Corby, A. Curtis, L. Dent, K. Edwards, M. Feldberg, K. Gonyou, M. Greguol, J. Hall, J. Kelemen, P. Kokkoros, A. Lockwood, S. Mathers, H. McNeely, B. Page, A. Pascual, M. Pease, B. Westlake-Power and S. Wise

The meeting was called to order at 4:18 PM, with Councillor A. Hopkins in the Chair, Deputy Mayor J. Morgan, Councillors S. Lewis and S. Lehman 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 2.1 and 2.5 BE APPROVED.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan

Motion Passed (6 to 0)

Moved by: S. Lewis
Seconded by: S. Lehman

That items 2.2, 2.3 and 2.4 BE APPROVED.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

2.1 1300 Riverbend Road (H-9452)

That, on the recommendation of the Director, Planning and Development, based on the application by Sifton Properties Limited, relating to the property located at 1300 Riverbend Road, the proposed by-law appended to the staff report dated April 25, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022, 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 Business District

Commercial BDC (h*h-206*BDC(31)) Zone TO a Business District
Commercial BDC (BDC(31)) Zone to remove the “h” and “h-206” holding provisions. (2022-D09)

Motion Passed

2.5 2021 Annual Report on Building Permit Fees

Moved by: S. Lehman

That, the staff report dated April 25, 2022 entitled "Annual Report on Building Permit Fees", with respect to building permit fees collected and costs administration and enforcement of the *Building Code Act* and regulations for 2021, BE RECEIVED for information. (2022-P10)

Motion Passed

2.2 Audit and Accountability Fund – Intake 3 - Continuous Improvement of Development Approvals - Single Source Award - Site Plan Resubmission Process Review

That, the staff report dated April 25, 2022 entitled "Audit and Accountability Fund – Intake 3: Continuous Improvement of Development Approvals - Single Source Award for the Site Plan Resubmission Process Review" BE RECEIVED for information. (2022-F11)

Motion Passed

2.3 Single Source Procurement of Consultant - Update to the Site Plan Control By-Law and Manual

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the award of contracts through Single Source procurement of a consultant for an update to the Site Plan Control By-law and Manual requiring the Planning and Environment Committee and the Municipal Council approval for awards greater than \$50,000:

a) a Single Source Procurement in accordance with section 14.4(e) of the Procurement of Goods and Services Policy BE AWARDED to SvN Architects + Planners in collaboration with HDR to conduct consulting services for the City of London to update the Site Plan Control By-law and Manual at a cost of up to \$153,250.00 (excluding HST); and,

b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated April 25, 2022 as Appendix 'A'. (2022-C01/D02)

Motion Passed

2.4 Streamline Development Approval Fund: Continuous Improvement of Development Approvals - Single Source Contract Award

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to the Streamline Development Approval Fund: Continuous Improvement of Development Approvals Single Source Contract Award:

a) a Single Source Procurement in accordance with section 14.4(e) of the Procurement of Goods and Services Policy BE AWARDED to

EZSigma Group, 61 Wellington Street East, Aurora, ON, L4G 1H7, to guide the continuous improvement process for the Streamline Development Approval Fund in partnership with the City of London at a cost of up to \$446,250.00 (excluding HST); and,

b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated April 25, 2022 as Appendix 'A'. (2022-D09)

Motion Passed

3. Scheduled Items

3.1 1055 Fanshawe Park Road West (OZ-9444)

Moved by: S. Lewis

Seconded by: J. Morgan

That, notwithstanding the Civic Administration's recommendation, the application by Quincy Developments, relating to the property located at 1055 Fanshawe Park Road West, the application BE APPROVED;

a) the proposed attached by-law BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend Specific Area Policy 1074_ of The London Plan to increase the maximum Gross Floor Area for medical/dental office uses to 6,342.4 square metres;

b) the proposed attached by-law BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend the 1989 Official Plan to ADD a new policy to Section 10.1.3 – "Policies for Specific Areas" to permit a maximum medical/dental office Gross Floor Area of 6,342.4 square metres; and,

c) the proposed attached by-law BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan and The London Plan as amended in parts a) and b) above), to change the zoning of the subject property FROM an Office Special Provision (OF5(6)) Zone TO an Office Special Provision (OF5(_)) Zone;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- the staff presentation; and,
- the agent for the applicant's presentation;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- D. Hannam, Zelinka Priamo Ltd.;

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

- the application is consistent with the 2020 Provincial Policy Statement as it promotes the efficient use of an underutilized site;
- the application is consistent with the Climate Emergency Action Plan in regard to developing neighbourhoods with walkable personal services including family medical needs; and,
- the use does not compete with the downtown. (2022-D02)

Yeas: (3): S. Lewis, S. Lehman, and J. Morgan

Nays: (2): A. Hopkins , and S. Turner

Absent: (1): S. Hillier

Motion Passed (3 to 2)

Additional Votes:

Moved by: S. Turner

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

Moved by: S. Lewis

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

3.2 Request to Remove the Heritage Listed Property at 147-149 Wellington Street from the Register of Cultural Heritage Resources

Moved by: S. Lewis

Seconded by: S. Lehman

That, on the recommendation of the Director, Planning and Development, the property located at 147-149 Wellington Street BE REMOVED from the Register of Cultural Heritage Resources;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- H. Garrett, Zelinka Priamo Ltd. (2022-D02/R01)

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lehman

Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

Moved by: S. Turner
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

3.3 84-86 St. George Street and 175-197 Anne Street (OZ-9127)

Moved by: S. Lewis
Seconded by: S. Lehman

That, the following actions be taken with respect to the application by St. George and Ann Block Limited, relating to the property located at 84-86 St. George Street and 175-197 Ann Street:

- a) the application BE REFERRED back to the Civic Administration in order to meet with the Applicant/Agent with an aim to address potential rail safety concerns and opportunities for traffic mitigation measures and buffering, and to allow for the Civic Administration to report back at a future Planning and Environment Committee meeting; and,
- b) the Civic Administration BE REQUESTED, in the report back, to include a bonus zone that provides for the following:
 - a minimum of thirteen (13) affordable residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three bedroom units (reflective of the unit mix proposed in the building);
 - rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - the duration of affordability shall be set at 50 years from the point of initial occupancy of all affordable units; and,
 - alignment of the bonus to a defined municipal priority – the owner shall be required to enter into a Tenant Placement Agreement with the City;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- the staff presentation;
- a communication from A.M. Valastro, R. McDowell, S. Olivastri, L. White, J. Jacobson, D. Hallam, D. Morrice and D. Fraser;
- a communication dated April 11, 2022 from J. Fooks;
- a communication dated April 21, 2022 from L. Tinsley;
- a communication dated April 21, 2022 from J. Hunten;
- a communication dated April 21, 2022 from H. Elmslie;
- a communication dated April 21, 2022 from Dr. W. Kinghorn, President, Architectural Conservancy of Ontario - London Region;
- a communication dated April 22, 2022 from AM Valastro; and,
- a communication from M. Tovey;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- S. Allen, MHBC Planning;
- A. Soufan, York Developments;

- A.M. Valastro;
- M. Tovey, Adjunct Assistant Professor of History, Western University;
- C. Gunn, 4EST Brewery;
- N. Kornilovsky, 695 Richmond Street;
- M. Rombough, 4EST Brewery; and,
- K. Waud, London Advisory Committee on Heritage. (2022-D09)

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lehman

Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

Moved by: S. Lewis

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

4. Items for Direction

4.1 Heritage Alteration Permit – 18 Byron Avenue East (HAP22-016-L)

Moved by: S. Turner

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for the proposed addition and alterations to the heritage designated property at 18 Byron Avenue East, within the Wortley Village-Old South Heritage Conservation District BE REFUSED;

it being noted that the proposed addition and alterations do not comply with the Wortley Village-Old South Heritage Conservation District Plan policies, The London Plan policies, and the Provincial Policy Statement. (2022-D09/R01)

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

4.2 183 Ann Street and 197 Ann Street under Part IV of the Ontario Heritage Act - Designation

Moved by: S. Turner

Seconded by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the designation of built resources at municipal addresses 183 Ann Street and 197 Ann Street, located on the consolidate parcel legally described as – LOTS 4, 5, 6 & 7 AND PART LOT 3, SOUTH SIDE ANN STREET PLAN 183(W) DESIGNATED AS PART 1, PLAN 33R-20622, the following actions be taken:

- a) notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of Municipal Council's intention to designate the built resource on the municipal address located at 197 Ann Street to be of cultural heritage value or interest for the reasons outlined in Appendix E as appended to the staff report dated April 25, 2022;
- b) should no objections to Municipal Council's notice of intention to designate be received, by-laws to designate the built resource located at 197 Ann Street to be of cultural heritage value or interest for the reasons outlined in Appendix E as appended to the staff report dated April 25, 2022 BE INTRODUCED at a future meeting of Municipal Council within 90 days of the end of the objection period;
- c) notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of Municipal Council's intention to designate the built resource located at 183 Ann Street to be of cultural heritage value or interest for the reasons outlined in Appendix F as appended to the staff report dated April 25, 2022; and,
- d) should no objections to Municipal Council's notice of intention to designate be received, by-laws to designate the built resource located at 183 Ann Street to be of cultural heritage value or interest for the reasons outlined in Appendix F as appended to the staff report dated April 25, 2022 BE INTRODUCED at a future meeting of Municipal Council within 90 days of the end of the objection period;

it being noted that should an objection to Municipal Council's notice of intention to designate be received, a subsequent staff report will be prepared;

it being further noted that should an appeal to the passage of the by-law be received, the City Clerk will refer the appeal to the Ontario Land Tribunal. (2022-D09/R01)

Yeas: (4): A. Hopkins , S. Lehman, S. Turner, and J. Morgan

Nays: (1): S. Lewis

Absent: (1): S. Hillier

Motion Passed (4 to 1)

4.3 4th Report of the London Advisory Committee on Heritage

Moved by: S. Lehman

Seconded by: S. Lewis

That, the following actions be taken with respect to the 4th Report of the London Advisory Committee on Heritage, from its meeting held on April 13, 2022:

a) on the recommendation of the Director, Planning and Development, the properties located at 147-149 Wellington Street BE REMOVED from the Register of Cultural Heritage Resources; it being noted that, should demolition on the property occur, the London Advisory Committee on Heritage encourages the developer to salvage the gable and other heritage features;

b) on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for the proposed addition and alterations to the heritage designated property located at 18 Byron Avenue East, within the Wortley Village-Old South Heritage Conservation District BE REFUSED; it being noted that the proposed addition and alterations do not comply with the Wortley Village-Old South Heritage Conservation District Plan policies, The London Plan policies, and the Provincial Policy Statement; it being further noted that the London Advisory Committee on Heritage encourages the applicant to continue to work with the Heritage Planners with respect to this matter;

c) on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the following actions be taken with respect to the staff report, dated April 13, 2022, related to the designation of built resources at municipal addresses 183 Ann Street and 197 Ann Street, located on the consolidated parcel legally described as – LOTS 4, 5, 6 & 7 AND PART LOT 3, SOUTH SIDE ANN STREET PLAN 183(W)DESIGNATED AS PART 1, PLAN 33R-20622:

i) notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of Municipal Council's intention to designate the built resource on the municipal address 197 Ann Street to be of cultural heritage value or interest for the reasons outlined in Appendix E of the above-noted staff report;

ii) should no objections to Municipal Council's notice of intention to designate be received, by-laws to designate the built resource at 197 Ann Street to be of cultural heritage value or interest for the reasons outlined in Appendix E of the above-noted staff report, BE INTRODUCED at a future meeting of Municipal Council within 90 days of the end of the objection period;

iii) notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of Municipal Council's intention to designate the built resource at 183 Ann Street to be of cultural heritage value or interest for the reasons outlined in Appendix F of the above-noted staff report; and,

iv) should no objections to Municipal Council's notice of intention to designate be received, by-laws to designate the built resource 183 Ann Street to be of cultural heritage value or interest for the reasons outlined in Appendix F of the above-noted staff report, BE INTRODUCED at a future meeting of Municipal Council within 90 days of the end of the objection period;

it being noted that, should an objection to Municipal Council's notice of intention to designate be received, a subsequent staff report will be prepared;

it being further noted that should an appeal to the passage of the by-law be received, the City Clerk will refer the appeal to the Ontario Land Tribunal; and,

d) clauses 1.1, 3.1 to 3.5, inclusive, 4.1 and 5.1 BE RECEIVED for information.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and J. Morgan

Absent: (1): S. Hillier

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 8:31 PM.