

# Planning and Environment Committee

## Report

11th Meeting of the Planning and Environment Committee  
May 30, 2022

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

ABSENT: S. Lehman

ALSO PRESENT: PRESENT: H. Lysynski and K. Van Lammeren

REMOTE ATTENDANCE: Councillors M. Hamou and J. Fyfe-Millar; L. Livingstone, J. Adema, A. Anderson, G. Barrett, J. Bunn, M. Corby, M. Davenport, J. Davison, K. Edwards, M. Greguol, K. Gonyou, J. Kelemen, P. Kokkoros, L. Marshall, H. McNeely, B. Page, C. Parker, A. Pascual, M. Pease, A. Riley, A. Singh and B. Westlake-Power

The meeting was called to order at 4:01 PM, with Councillor A. Hopkins 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. Hillier

Seconded by: E. Holder

That Items 2.1 to 2.6, inclusive, BE APPROVED.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

#### 2.1 58 Sunningdale Road West (39T-16503)

Moved by: S. Hillier

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, the Approval Authority BE ADVISED that the Municipal Council supports the request for a three (3) year extension of the draft plan of subdivision approval for the draft plan submitted by Drewlo Holdings Inc. (File No. 39T-16503), prepared by MTE and certified by P.R. Levac OLS, (File No 50861-102, dated May 18, 2022), as red-lined amended, which shows 41 single detached lots, two (2) residential part blocks, three (3) medium density blocks, one (1) commercial block, one (1) road widening block, and four (4) 0.3m reserve blocks all served by an extension of Callingham Drive, an extension of Pelkey Road, and three (3) new local streets, SUBJECT TO the conditions contained in the staff report dated May 30, 2022 as Schedule "A". (2022-D12)

**Motion Passed**

2.2 890 Upperpoint Avenue (P-9358)

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

That, on the recommendation of the Director, Planning and Development, based on the application by Sifton Properties Ltd., the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to exempt Block 141, Plan 33M-754 and Block 42, Plan 33M-810 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act, R.S.O. 1990, c. P. 13*, for a period not exceeding three (3) years. (2022-D25)

**Motion Passed**

2.3 3195 White Oak Road (H-9471)

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

That, on the recommendation of the Director, Planning and Development, based on the application by Econ Consultant Ltd., relating to the property located at 3195 White Oak Road, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 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-94\*R1-3(21)) Zone TO a Residential R1 Special Provision (R1-3(21)) Zone to remove the "h-94" holding provision. (2022-D09)

**Motion Passed**

2.4 1284 and 1388 Sunningdale Road West (39T-04510\_5)

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the subdivision of land over Concession 5, Part Lot 23, situated on the south side of Sunningdale Road West, between Wonderland Road North and Hyde Park Road, municipally known as 1284 and 1388 Sunningdale Road West:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the Foxhollow North Kent Subdivision, Phase 5 (39T-04510) appended to the staff report dated May 30, 2022 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 May 30, 2022 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 May 30, 2022 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. (2022-D12)

**Motion Passed**

2.5 525 Dufferin Avenue - Heritage Alteration Permit Application (HAP22-031-L)

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

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 to replace the porch railings/guard on the heritage designated property at 525 Dufferin Avenue, within the East Woodfield Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- a) all exposed wood be painted;
- b) the installation of the proposed porch railings/guards be completed within twelve months of Municipal Council's decision on this Heritage Alteration Permit; and,
- c) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed. (2022-R01)

**Motion Passed**

2.6 Building Division Monthly Report - March, 2022

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

That the Building Division Monthly Report for the month of March, 2022 BE RECEIVED for information. (2022-A23)

**Motion Passed**

**3. Scheduled Items**

3.1 Definition of " Public Park" in Zoning By-law Z-1 / City-Wide

Moved by: S. Lewis  
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, based on the City-initiated zoning by-law review, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning definition for Public Park;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

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

- is consistent with the Provincial Policy Statement (2020);
- conforms with the policies of the London Plan, specifically in regards to the Green Space Place Type and the Parks and Recreation

chapter;

- will enable uses and activities in city-owned parks that are consistent with the Parks and Recreation By-law (PR-2); and,
- represents good planning. (2022-D14)

Yeas: (5): A. Hopkins , S. Lewis, S. Turner, S. Hillier, and E. Holder  
Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: E. Holder

Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Turner, S. Hillier, and E. Holder  
Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Lewis

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Turner, S. Hillier, and E. Holder  
Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

### 3.2 537 Crestwood Drive (Z-9333)

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, based on the application by Middlesex Vacant Land Condominium 816, relating to the property located at 537 Crestwood Drive, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR1) Zone TO a Holding Residential R6 Special Provision h-(\*)R6-2(\*) Zone;

it being noted that the following site plan matters were raised during the public participation process:

- i) an amendment to the registered Plan of Condominium 816 is required;
- ii) warning clauses to be registered on title regarding noise and dust related to gravel pit and rehabilitation activities; and,
- iii) warning clauses to be registered on title regarding possible noise impacts from the future realigned Commissioners Road East;

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

- H. Froussios, Zelinka Priamo Ltd., on behalf of the Middlesex Vacant Land Condominium 816;

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

- the recommended amendment is consistent with the 2020 Provincial Policy Statement 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 and requires resource extraction activities to be protected for long-term use and not hindered by incompatible development; and that resource extraction activities and sensitive residential development be appropriately separated from each other. A holding provision is recommended to ensure a new geotechnical study is required to establish the limit of development related to the slope hazard and evaluate the potential impacts of the future construction of the Commissioners Road West realignment; and to ensure a rehabilitation plan and site restoration plan have been completed for the adjacent aggregate resource extraction area;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, the Neighbourhoods Place Type, and Natural Resources; and,
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation and the Specific Area policies for Lands in the Vicinity of Byron Gravel Pits. (2022-D07)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

### 3.3 Demolition Request for the Heritage Listing Property at 180 Simcoe Street

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, the property at 180 Simcoe Street BE REMOVED from the Register of Cultural Heritage Resources;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2022-R01)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: E. Holder

Seconded by: S. Hillier

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Turner

Seconded by: S. Hillier

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

### 3.4 258 Richmond Street (Z-9465)

Moved by: E. Holder

Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, based on the application by Siv-ik Planning and Design Inc., relating to the property located at 258 Richmond Street, the proposed revised by-law appended to the Added Agenda, BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan (The London Plan, 2016) and the 1989 Official Plan), to change the zoning of the subject property FROM a Restricted Service Commercial (RSC2/RSC3/RSC4) Zone TO a Holding Business District Commercial Special Provision (h-\_\*BDC(\_)) Zone;

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

- J. Smolarek, Siv-ik Planning and Design Inc.;

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;
- the recommended amendment conforms to the policies of The London Plan, including but not limited to the Key Directions and Urban Corridor Place Type for the SoHo Main Street Specific Segment.
- the recommended amendment conforms to the in-force policies of

the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor (MSCC); and,

- the recommended amendment would facilitate the reuse of the existing building and allow a broader range of uses that are appropriate for the context of the site. (2022-D09)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: E. Holder

Seconded by: S. Turner

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

### 3.5 850 Highbury Avenue North - Request for Demolition

Moved by: E. Holder

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development with the advice of the Heritage Planner, the demolition request for the removal of (8) non-designated built resources on the heritage designated property at 850 Highbury Avenue North, BE PERMITTED pursuant to Section 34(1) of the *Ontario Heritage Act* subject to the following terms and conditions:

a) during demolition, construction fencing and buffering of sensitive areas be implemented per Project Site Plan appended to the staff report dated May 30, 2022 as Appendix C;

b) during demolition, restrict construction routes to areas outside the treed alley; and,

c) pre-, during, and post-demolition, implement recommendations of the PreConstruction Analysis appended to the staff report dated May 30, 2022 as Appendix D;

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

- B. McCauley, Old Oak Properties;
  - K. Eby, GMPS, on behalf of JDA Investments Inc.; and,
  - N. Tausky, on behalf of the Architectural Conservancy of Ontario.
- (2022-R01)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: A. Hopkins

Motion to add a new part d), which reads as follows:

"d) the applicant BE REQUESTED to photographically document and chronical, to the degree possible, the north and south pavilion and the connecting building."

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

Nays: (3): S. Lewis, S. Hillier, and E. Holder

Absent: (1): S. Lehman

**Motion Failed (2 to 3)**

Moved by: S. Hillier

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Hillier

Seconded by: S. Turner

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

### 3.6 1503 Hyde Park Road (Z-9425)

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, based on the application by 2575707 Ontario Corp. (c/o Business Network Associates), relating to the property located at 1503 Hyde Park Road, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 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 (h-91\*BDC1/BDC2) Zone TO a Holding Business District Commercial Special Provision (h-91\*BDC1(\_)/BDC2) Zone;

it being noted that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:

- i) provide sufficient common outdoor amenity space based on the number of units proposed and/or provide detailed design and program solutions for the area;
- ii) review alternative vehicular access arrangements as opposed to the shared vehicular access point with 1435 Hyde Park Road; and,
- iii) consider additional landscaping and use of planters along this section of Hyde Park Road consistent with Urban Design's first submission comments to ensure that planters are aligned parallel to the street with a 0.15m curb to clearly define the clearway;

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

- the project summary from M. Davis, Siv-ik; and,
- a communication dated May 26, 2022 from J. Haasen;

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

- M. Davis, Siv-ik Planning and Design, on behalf of Business Network Associates; and,
- J. Haasen, 70 Dissing Crescent;

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 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, City Building policies, and the Main Street Place Type policies;
- the recommended amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor designation and is in keeping with the Hyde Park Community Plan and Urban Design Guidelines;
- the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood; and,
- the recommended amendment facilitates the development of a vacant, underutilized site within the Built-Area Boundary with an appropriate form of development. (2022-D09)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Turner

Seconded by: S. Hillier

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

3.7 850 Highbury Avenue (OZ-9324)

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, based on the application by Old Oak Properties Inc., relating to the property located at 850 Highbury Avenue North, and with respect to housekeeping amendments to the approved London Psychiatric Hospital Secondary Plan, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix 'A' BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to DELETE the London Psychiatric Hospital Secondary Plan in its entirety and ADOPT the London Psychiatric Hospital Secondary Plan, appended to the staff report dated May 30, 2022 as Appendix "A", Schedule "1";

it being noted that the specific policy changes to the existing London Psychiatric Hospital Secondary Plan, that will result from the deletion of the existing plan and the adoption of the new revised plan, are outlined in Appendix B of the above-noted staff report;

it being noted that the Planning and Environment Committee received the staff presentation with respect to these matters;

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

- C. Kulchycki, Zelinka Priamo Ltd., on behalf of Old Oak Properties Inc.; and,
- K. Eby, GMPS representing JDA Investments Inc.;

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

- the proposed Secondary Plan amendment is consistent with the Provincial Policy Statement (PPS), 2020, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable

and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents; and,

- the proposed official plan amendment conforms to the in-force policies of The London Plan, including but not limited to the Transit Village Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.. (2022-D09/R01)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Lewis

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Lewis

Seconded by: E. Holder

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

#### **4. Items for Direction**

None.

#### **5. Deferred Matters/Additional Business**

##### **5.1 (ADDED) 1st Report of the Community Advisory Committee on Planning**

Moved by: S. Lewis

Seconded by: S. Hillier

That, the following actions be taken with respect to the 1st Report of the Community Advisory Committee on Planning from its meeting held on May 26, 2022:

a) the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a report, dated May 26, 2022, with respect to the Demolition Request for Heritage Listed Property located at 180 Simcoe Street by Richmond Corporate Centre Inc. and the CACP supports the staff recommendation and the findings of the Heritage Impact Assessment; it being noted that the CACP recommends the preservation of trees to mitigate potential impacts to adjacent cultural heritage resources;

b) the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a report, dated May 26, 2022, with respect to the Demolition Request for Non-Designated Built Resources on the Heritage Designated Property

located at 850 Highbury Avenue North - the former London Psychiatric Hospital Lands by Old Oak Properties and the CACP supports the staff recommendation;

c) the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a report, dated May 26, 2022, with respect to a Heritage Alteration Permit Application by E. Placzek at 525 Dufferin Avenue, East Woodfield Heritage Conservation District and the CACP supports the staff recommendation; and,

d) clauses 1.1, 1.2, 2.1, 3.1 to 3.7, inclusive, 4.1, 5.2, 5.3 and 6.1 to 6.3, inclusive, BE RECEIVED for information.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

## **6. Confidential (Enclosed for Members Only)**

6.1 Instructions for OLTAppeal, OLT-22-002053 (2624 Woodhull Road) - File No. A.146/21 and B.008/21

Moved by: E. Holder

Seconded by: S. Hillier

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

A matter pertaining 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 Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation. (2022-L01)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

The Planning and Environment Committee convenes, in Closed Session, from 6:11 PM to 6:28 PM.

## **7. Adjournment**

The meeting adjourned at 6:31 PM.