

# Planning and Environment Committee

## Report

8th Meeting of the Planning and Environment Committee  
May 1, 2023

PRESENT: Councillors S. Lehman (Chair), S. Lewis, A. Hopkins, S. Franke, S. Hillier

ABSENT: Mayor J. Morgan

ALSO PRESENT: Councillors P. Cuddy and J. Pribil; K. Gonyou, P. Kavcic, P. Kokkoros, H. McNeely, B. O'Hagan, B. Page, M. Pease and A. Riley

Remote attendance: Councillors P. van Meerbergen and D. Ferreira; I. Abushehada, E. Bennett, S. Corman, M. Corby, A. Curtis, A. Hovius, M. Hynes, L. Marshall, C. McCreery, N. O'Brien and M. Schulthess

The meeting is called to order at 4:01 PM

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Consent

Moved by: S. Hillier

Seconded by: S. Lewis

That Items 2.1 to 2.3, inclusive, BE APPROVED.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

#### 2.1 5th Report of the Community Advisory Committee on Planning

Moved by: S. Hillier

Seconded by: S. Lewis

That the following actions be taken with respect to the 5th Report of the Community Advisory Committee on Planning, from its meeting held on April 12, 2023:

a) the Community Advisory Committee on Planning membership renewal with Community Heritage Ontario for 2023 BE APPROVED;

b) the Municipal Council BE REQUESTED to refer the matter of the Heritage Alteration Permit Application by R. Bryson for the property located at 27 Bruce Street, Wortley Village - Old South Heritage Conservation District back to the Civic Administration to allow for continued work with the applicant; and,

c) clauses 1.1, 2.1, 3.1, 3.3, 4.1 and 5.2 BE RECEIVED for information. (2023-C04)

**Motion Passed**

2.2 5th Report of the Ecological Community Advisory Committee

Moved by: S. Hillier

Seconded by: S. Lewis

That the following actions be taken with respect to the 5th Report of the Ecological Community Advisory Committee, from its meeting held on April 20, 2023:

- a) K. Moser and S. Hall BE APPOINTED as Representative and Alternate to the Trails Advisory Group;
- b) the Working Group comments relating to the property located at 735 Southdale Road West BE FORWARDED to the Civic Administration for review and consideration; and,
- c) clauses 1.1, 3.1, 5.2 and 5.4 BE RECEIVED for information. (2023-C04)

**Motion Passed**

2.3 Annual Report on Building Permit Fees

Moved by: S. Hillier

Seconded by: S. Lewis

That the staff report dated May 1, 2023 entitled "Annual Report on Building Permit Fees", BE RECEIVED for information. (2023-P10)

**Motion Passed**

**3. Scheduled Items**

3.1 2060 Jetstream (Z-9592)

Moved by: A. Hopkins

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by The Corporation of the City of London, relating to the property located at 2060 Jetstream Road:

- a) consistent with Policy 43\_1 of the Official Plan for the City of London, 2016, the subject lands, 2060 Jetstream Road, BE INTERPRETED to be located within the Heavy Industrial Place Type;
- b) the proposed by-law appended to the Planning and Environment Committee Added Agenda as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 16, 2023 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016), to change the zoning of the subject property FROM a Light Industrial (LI2) Zone TO a Heavy Industrial Special Provision (HI1(\_)) Zone;

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:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the policies of the Official Plan for the City of London, 2016, including but not limited to the Key Directions and Heavy Industrial Place Type; and,
- the recommended amendment would align the zoning of the property to that of the westerly adjacent lot (roll number 030330077040000), simplifying the future development of the sites together as one. (2023-D14)

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to open the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

### 3.2 595 Proudfoot Lane (Z-9591)

Moved by: S. Franke

Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, based on the application by Old Oak Properties Inc., relating to the property located at 595 Proudfoot Lane, the proposed by-law appended to the staff report dated May 1, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 16, 2023 to amend Zoning By-law No. Z-1, (in conformity with the Official Plan for the City of London, 2016), to change the zoning of the subject property FROM a Residential R9/Convenience Commercial (R9-7\*H42/CC4) Zone TO a Residential R9/Convenience Commercial/Day Care Special Provision (R9-7\*H42/CC4/DC(\_)) Zone;

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

- B. McCauley, Old Oak Properties;

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 in-force policies of the Official Plan for the City of London, 2016, including but not limited to the Key Directions and Neighbourhoods Place Type;
- the recommended amendment would permit a new use that is appropriate within the surrounding context; and,
- the recommended amendment would provide access to a day care centre in a convenient and accessible location to meet the daily needs of neighbourhood residents. (2023-D14)

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to open the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Moved by: S. Franke

Seconded by: S. Hillier

Motion to close the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

### 3.3 3480 Morgan Avenue (Z-9531)

Moved by: A. Hopkins

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Sifton Properties Limited, relating to the property located at 3480 Morgan Avenue:

a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Holding Community Shopping Area Special Provision (h\*h-11\*h-63\*h-82\*h-95\*h-100\*h-105\*h-135\*CSA5(3)) Zone TO a Residential R8 Special Provision R8-4( ) Zone, BE REFUSED for the following reason:

i) the Application did not include Holding Provisions, a number of holding provisions are considered necessary to address a range of planning and servicing issues associated with the proposed development;

b) the proposed by-law appended to the Planning and Environment Committee Added Agenda as Appendix "A" BE INTRODUCED at the

Municipal Council meeting to be held on May 16, 2023, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016), to change the zoning of the subject property FROM an Holding Community Shopping Area Special Provision (h\*h-11\*h-63\*h-82\*h-95\*h-100\*h-105\*h-135\*CSA5(3)) Zone TO an Holding Residential R8 Special Provision (h\*h-95\*h-100\*h-105\*h-198\*R8-4( )\*H14) Zone, for the following reasons:

- i) the recommended zoning by-law amendment is consistent with the Provincial Policy Statement;
- ii) the recommended zoning conforms to the in-force policies of the Official Plan for the City of London, 2016, including, but not limited to, the Shopping Area Place Type, City Building and Design, Our Tools, and all other applicable Official Plan for the City of London, 2016 policies; and,
- iii) the zoning will permit development that is considered appropriate and compatible with the existing and future land uses surrounding the subject lands;

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

- L. Clark, Sifton Properties Limited. (2023-D14)

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Additional Votes:

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

Motion to open the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Moved by: S. Hillier  
Seconded by: S. Franke

Motion to close the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

3.4 Delegation of Authority - Subdivisions and Condominiums, and Official Plan Amendment Policies for Public Meetings (O-9606)

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application regarding Delegation of Authority – Subdivisions and Condominiums:

a) the proposed by-law appended to the Planning and Environment Committee Added Agenda as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on May 16, 2023 to amend the Official Plan for the City of London, 2016, to change the requirement for public meetings for vacant land condominiums and common elements condominiums under policy 1619 and to remove policy 1683 in its entirety; and,

b) the proposed by-law appended to the staff report dated May 1, 2023 as Appendix “B” BE INTRODUCED at the Municipal Council meeting to be held on May 16, 2023 to amend By-law CP-17 being the Subdivision & Condominium Delegation & Approval By-law to include delegated approvals for minor revisions to the draft plan of subdivision, extensions to the draft plan of subdivision, subdivision agreements with special provisions, and change the requirement for public meetings for vacant land condominiums and common elements condominiums;

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

- M. Wallace, London Development Institute;

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

- streamline development approvals to allow the Civic Administration to get permit ready lots to market quicker;
- delegations are also administrative in nature and will allow the Municipal Council to focus on more strategic priorities;
- the delegations of draft plan extensions, minor red line revisions, subdivision agreement with special provisions will create time savings of 30 days; and,
- the delegations to adjust public meeting requirements for vacant land condominiums and common elements condominiums will create time savings of 45 to 60 days. (2023-D07/D12)

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Franke

Seconded by: S. Hillier

Motion to open the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Moved by: S. Franke

Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

3.5 614 Westmount Crescent (Z-9553)

Moved by: A. Hopkins

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by LA-Rosa Community Ltd., relating to the property located at 614 Westmount Crescent, the Site Plan Approval Authority BE REQUESTED to consider adding clauses relating to the access alignment across from 608 Commissioners Road West (clause a ii)), enhanced privacy screening (clause a xiii)), and the installation of a sidewalk on Westmount Crescent (clause a xiv));

it being noted that the following urban design and site plan matters were raised during the application review process for consideration by the Site Plan Approval Authority:

- i) provide 2-storey townhouses south of the access along Westmount Crescent to provide an appropriate height transition from abutting low-density residential as per the site plan dated February 21, 2023;
- ii) consider locating the access to align with the proposed access at 608 Commissioners Road West;
- iii) provide lockable front doors and habitable living space on street-facing facades, including direct connections from the front doors to a walkway or sidewalk connection along the frontage of the property;
- iv) no fencing be provided between the buildings and the public street;
- v) clarify how the disposable recycling and waste is stored and collected on the site plan;
- vi) confirm the gross floor area of each dwelling unit and confirm basement ceiling height is 1.8 metres or more;
- vii) provide shared amenity space on site, and consider adding purposeful features to this space for amenity;
- viii) protect and retain as many of the City trees on the adjacent boulevard as possible. No tree removals shall happen until a permit has been issued by Forestry Operations in compliance with the City of London Boulevard Tree Protection By-law. Replacement trees shall be provided in appropriate locations;
- ix) consider offsetting any tree removals with plantings;
- x) update the tree preservation plan to ensure all required information outlined by the Landscaped Architect has been included;
- xi) ensure pedestrian circulation and access refinements are done with the Accessibility Review Checklist;
- xii) identify the location of fire route signage and provide a standard detail on the site plan;
- xiii) include enhanced privacy aspects such as 7 foot high fences and more evergreen trees or cedar hedges; and,
- xiv) the installation of a sidewalk along Westmount Crescent;

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; and,
- R. Marghella. (2023-D14)

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Moved by: S. Hillier

Seconded by: S. Franke

Motion to open the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Moved by: S. Hillier

Seconded by: S. Franke

Motion to close the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

**4. Items for Direction**

None.

**5. Deferred Matters/Additional Business**

None.

**6. Confidential**

**6.1 Solicitor-Client Privileged Advice / Litigation/Potential Litigation**

Moved by: A. Hopkins

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 appeals arising out of the Masonville Secondary Plan ("MSP") at the Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

**6.2 Solicitor-Client Privileged Advice / Litigation/Potential Litigation**

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 to the Ontario Land Tribunal ("OLT") arising out of a Committee of Adjustment decision as it relates to 1 Westcott Street, and for the purpose of providing instructions and directions to officers and employees of the Corporation.

**Motion Passed**

The Planning and Environment Committee convened, in Closed Session, from 4:53 PM to 5:32 PM.

**7. Adjournment**

The meeting adjourned at 5:34 PM.