

22ND REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on October 8, 2013, commencing at 4:02 PM, in the Council Chambers, Second Floor, London City Hall.

PRESENT: Councillor B. Polhill (Chair), Councillors N. Branscombe, D.G. Henderson, P. Hubert and S. White and H. Lysynski (Secretary).

ALSO PRESENT: Mayor J.F. Fontana and Councillor J.L. Baechler, G. Barrett, J. Braam, P. Christiaans, M. Elmadhoon, J.M. Fleming, T. Grawey, B. Henry, G. Kotsifas, B. Krichker, A. MacLean, N. Musicco, N. Pasato, M. Ribera, C. Smith, M. Tomazincic, A.B. Watson and B. Westlake-Power.

I. CALL TO ORDER

1. That it BE NOTED that Councillor Polhill disclosed a pecuniary interest in clause 3 of this Report having to do with the Notice of Application by the City of London for the property located at 613 Sovereign Road, by indicating that his business is in the circulation area for this Notice.

II. CONSENT ITEMS

2. Property located at 160 Sunningdale Road West (H-8230)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application of Norquay Sunningdale Land Corp., relating to the property located at 160 Sunningdale Road West, the attached, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 22, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 160 Sunningdale Road West FROM a Holding Residential R1 (h*h-100*R1-6) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-6 (4)) Zone, a Holding Residential R1 (h*h*100*R1-5) Zone, a Holding Residential R1 (h*h-82*h-94*R1-6) Zone and a Holding Residential R1 (h*h-94*h-100*R1-6) Zone TO a Residential R1 (R1-6) Zone, a Residential R1 Special Provision (R1-6 (4)) Zone, a Residential R1 (R1-5) Zone, a Holding Residential R1 (h-82*h-94*R1-6) Zone and a Holding Residential R1 (h-94*R1-6) Zone, to remove the h* and h-100 holding provisions. (2013-D14B)

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

3. Property located at 613 Sovereign Road (H-8234)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application of the City of London, relating to the property located at 613 Sovereign Road, the proposed by-law, as appended to the staff report dated October 8, 2013, BE INTRODUCED at the Municipal Council meeting to be held on October 22, 2013, 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 Light Industrial (h*h-148*LI2/LI7) Zone TO a Light Industrial (LI2/LI7) Zone, to remove the "h" and "h-148" holding provision. (2013-D14B)

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, P. Hubert, S.E. White (5)

RECUSED: B. Polhill (1)

4. Property located at 1331 Hyde Park Road (H-8226)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application of Hyde Park Crossings Ltd., relating to the property located at 1331 Hyde Park Road, the attached, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 22, 2013, 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 Business District Special Provision (h*BDC2 (6)) Zone TO a Business District Commercial Special Provision (BDC2 (6)) Zone, to remove the holding "h" provision. (2013-D14A)

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

5. Building Division Monthly Report for August 2013

Recommendation: That the Building Division Monthly Report for August 2013 BE RECEIVED. (2013-D00)

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

6. Urban Growth Boundary Inclusion Requests (O-7938)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the report dated October 8, 2013, relating to the requests for inclusion in the Urban Growth Boundary BE RECEIVED; it being noted that the Planning and Environment Committee reviewed and received a communication from G. Smith, 141 Meadowlily Road South, with respect to this matter. (2013-D08/M16)

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

7. Land Needs Background Study for the 2011 Official Plan Review (O-7938)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the report dated October 8, 2013, relating to the Land Needs Background Study for the 2011 Official Plan Review BE RECEIVED. (2013-D08/M16)

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

III. SCHEDULED ITEMS

8. 9th Report of the Environmental and Ecological Planning Advisory Committee

Recommendation: That, the following actions be taken with respect to the 9th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on September 26, 2013:

- a) the City Clerk BE REQUESTED to review the attendance requirements for an Environmental and Ecological Planning Advisory Committee (EEPAC) representative on the Trees and Forests Advisory Committee; it being noted that current EEPAC members are unable to participate due to existing commitments; and,

- b) that clauses 2 to 11, inclusive, of the 9th Report of the EEPAC BE RECEIVED;

it being noted that the Planning and Environment Committee did not hear a verbal presentation from D. Sheppard, Chair, EEPAC, with respect to these matters.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

9. 3rd Report of the Agricultural Advisory Committee

Recommendation: That, the following actions be taken with respect to the 3rd Report of the Agricultural Advisory Committee from its meeting held on September 18, 2013:

- a) the Civic Administration BE REQUESTED to postpone any recommendations on a neonicotinoids (a class of pesticide) seed treatment plan until the Ontario Ministry of Agriculture, Food and Rural Affairs, Ontario Bee Health Working Group recommendations are completed by the end of November 2013; it being noted that the Agricultural Advisory Committee (AAC) received the following with respect to this matter:
 - i) a communication, dated August 12, 2013, from G. Kenny, Program Coordinator, Emergency Response and International Development, the United Church of Canada, with respect to a moratorium on a class of pesticides called neonicotinoids;
 - ii) a presentation, as appended to the 3rd Report of the AAC, from T. Baute, Entomologist, Ontario Ministry of Agriculture, Food and Rural Affairs, with respect to a Working Group Study on neonicotinoids;
 - iii) a communication, as appended to the 3rd Report of the AAC, dated September 18, 2013, from M. Does, Food Not Lawns, with respect to links between the collapse of bee colonies and neonicotinoids; and,
 - iv) delegations from M. Knoester and C. Quinn, with respect to the use of neonicotinoids;
- b) that clauses 2 to 6, inclusive, of the 3rd Report of the AAC BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from H. Fletcher, Chair, AAC, with respect to these matters.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

10. Property located at 660 Sunningdale Road East (39T-09501/OZ-7638)

Recommendation: That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the Draft Plan of Subdivision, Official Plan amendment and Zoning By-law amendment applications, relating to the property located at 660 Sunningdale Road East, (legally described as the South Half of Lot 13, Concession 6, Geographic Township of London):

- a) the Approval Authority BE ADVISED that, at the public participation meeting of the Planning and Environment Committee held with respect to these matters, issues were raised with respect to the following:
 - i) the wetland boundary;
 - ii) channel realignment on Adelaide Street;

- iii) the proposed location of the parkland; and,
 - iv) the proposed road allowance;
- b) the applicant BE REQUESTED to address the issues that have been raised with respect to the Draft Plan of Subdivision, Official Plan amendment and Zoning By-law amendment applications, including the following:
 - i) submit additional information that addresses the outstanding issues raised by the Upper Thames River Conservation Authority and Ministry of Natural Resources;
 - ii) submit a wetland evaluation report to the Province, in consultation with the City of London and the Upper Thames River Conservation Authority, to update the Provincially Significant Wetland (PSW) mapping within the plan;
 - iii) identify the location and delineation of required parkland and open space on the plan, in consultation with City staff;
 - iv) provide documentation that addresses the amount and location of proposed commercial development, including associated concept plans and design details;
 - v) review the proposed roadway alignments, in consultation with City staff, to confirm the location of roundabouts and ensure the width of roads meet applicable municipal standards; and,
 - vi) provide a revised plan for circulation that constitutes a complete application;
- c) the Civic Administration BE DIRECTED to consider the input received at the public participation meeting held on October 8, 2013, the comments received from the Municipal Council, undertake further dialogue with the applicant and, upon completion of the application, report back at a future statutory public participation meeting of the Planning and Environment Committee; and,
- d) the application BE CONSISTENT with the Uplands North Community Plan;

it being noted that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Michelle Doornbosch, Zelinka Priamo Ltd., on behalf of the applicant – providing background information on the application; advising that the application was deemed complete by staff in 2009, when the applicant submitted, through a different consultant, all of the required material under the Official Plan, Zoning By-law amendment and the subdivision application requirements; indicating that Zelinka Priamo Ltd. took over the file in July, 2011, they took some time to go through all of the background material, reviewed all of the comments that were based on the 2009 and 2010 submissions and compiled a complete resubmission package in July, 2012; coming out of that, they did receive additional comments from staff and had subsequent meetings over a period of eight months; indicating that they coordinated with staff and provided staff with a resubmission in April, 2013; reiterating that all of the material that was required was included in the resubmission; indicating that they were advised in August that the applications were not circulated from April because staff did not have the fees; noting that the fees were the only item that was outstanding with respect to the information; indicating that the plan before the Committee is the plan that was submitted to the staff in April, 2013; advising that they feel that this addresses a majority of the comments; looking for some direction on the outstanding items because they have had several discussions and are at a stalemate on some of the items; indicating that, with the Provincially Significant Wetland, they are aware that the Ministry of Natural Resources wetland boundary is different than the wetland boundary that they have on their plan; indicating that they had their own qualified wetland boundary consultant go out; noting that the consultant also met with staff with respect to the wetland boundary; advising that they received confirmation from staff in August, 2013, confirming that the wetland boundary that they have identified in the subdivision is correct; reiterating that their consultant,

City staff and a certified wetland qualifier have confirmed that the wetland boundary that they have shown is correct; indicating that they have asked staff to incorporate the process in terms of dealing with the wetland evaluation process so that they can deal with the Ministry of Natural Resources and have their mapping changed to reflect what the two qualified consultants have already identified; reiterating that they have requested this as a draft plan condition as they have already confirmed the limits; indicating that there are some items outstanding with the Upper Thames River Conservation Authority and their engineers will be dealing with them; noting that one of the issues relates to the channel realignment on Adelaide Street; further noting that this can be done by draft plan condition; indicating that, with respect to the parkland, staff had noted that they do have the parkland shown on the main corridor into the subdivision; advising that the parkland is in that location as they have identified it as an urban park; indicating that this is the location that the park has been identified as throughout this process; advising that the area outlined in red on the plan is intended to be a business district commercial corridor; noting that this is a new format as business district commercial corridors are typically found in existing communities; reiterating that this is a new format of business district commercial district for a new subdivision; reiterating that the intent for the park is that it is to be an urban park; advising that the park provides an extension to the commercial area; advising that they are looking to incorporate the park in this location; indicating that they are at a stalemate as their intention has always been to have the parkland in this location; noting that staff has asked it to be located in a different area (points to the map on the screen during the Planning and Environment Committee meeting); understanding that there is a higher density in the location that the staff would like to see the parkland; however, their proposed location is more centralized; indicating that, parkland dedication is required through draft plan of subdivision or site plan approval and there will be parkland areas incorporated into those developments when they go through subsequent approvals; reiterating that they disagree with staff on the location of the parkland; advising that they have advised staff, on several occasions, that they have done everything they could to try to redesign the subdivision around the priority 2 barn; pointing out that it is located in the road pattern; indicating that, given the road pattern surrounding these lands, there was no way to design the subdivision to maintain it; indicating that the priority 2 barn is intended to be demolished; noting that this will accommodate the commercial blocks in this area and the proposed roads; reiterating that they have been clear with staff on this point; advising that the neighbourhood commercial block in this application is different than the one that was before the Committee in July; reiterating that their intent is to create a business district commercial corridor; indicating that, because of the population density in this area, they have proposed a larger commercial block to provide an anchor to support the business district commercial corridor; noting that, they need the additional customers and trade area being brought in through the Neighbourhood Commercial, to provide a viable business district commercial corridor for this area; further noting that, without the larger population, they do not know if the population is there to support and maintain it; reiterating that it meets the locational criteria for appropriate sites, has good access to the rest of the subdivision and there is no commercial identified in the Uplands North area; indicating that there is some commercial at this intersection already; however, if you look at the Uplands Area Plan, there is no commercial serving that entire area so this node will serve that entire area; indicating that staff commented on the square footage; advising that the proposed zoning that they have for these lands would contemplate approximately 60,000 square feet on the commercial block; noting that the business district commercial zone does allow for 90 percent lot coverage and that is what staff have based the square footage on; indicating that they realistically cannot develop the lots that way as there are parking requirements; indicating that, based on a 30 percent typical coverage for commercial, they would be looking at 60,000 square feet for the commercial block and approximately 30,000 to 40,000 square feet amongst the three business district commercial blocks; reiterating that the commercial that they are looking for is not to the extent of 130,000 to 180,000; noting that they would be well within

100,000 square feet and that is well within the Neighbourhood Commercial areas contemplated for this type of use; indicating that she did have a discussion with staff and staff is no longer requiring the roundabouts at the various intersections; noting that this plan reflects the removal of the roundabouts; advising that the other concern that staff had was with their 18 metre road allowances located at the top of the plan and Streets "F" and "G"; reiterating that the Official Plan does allow for road widths of 16 metres to 20 metres; noting that these roads are well within that; further noting that there are design standards that allow for 18 metre roads; advising that, throughout this process, the road widths have changed several times; indicating that they started with 17 metres, now they are at 18 metres and now staff are asking for 19 meters; indicating that they are trying to find a balance; advising that, as part of this design, they are looking for urbanism as part of this subdivision; advising that, as part of this subdivision, they have proposed zoning regulations that allow for the homes to be constructed closer to the street, along with the narrower road widths, that brings everything closer together; indicating that that is what they are looking for in terms of the subdivision; reiterating that they have come to the Committee because they are at a stalemate on a lot of these issues and are looking for direction from the Committee as to how they can proceed and hopefully come up with a solution because this application has been ongoing for so many years, they would like to bring it to an end; reiterating that they are asking the Committee to direct staff to approve the plan, that they submitted in April, 2013; indicating that this would outline that the wetland issues can be handled by way of draft plan conditions, that the parkland is in an appropriate location given the design that they are looking for for this subdivision, that the amount of commercial proposed is appropriate to serve the needs of the surrounding Uplands area and is necessary to support the viability of the business district commercial zone and that the 18 metre road allowances that are contemplated for local streets are appropriate for this development; requesting that the staff report back as soon as possible; indicating that she has had a number of meetings with staff about these same items and they have not been able to move forward which is why they are looking to the Committee for some additional input on this. (2013-D14A/D12)

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

Voting Record:

Motion to refer the report back to the Civic Administration until the application has been deemed complete.

Motion Failed

YEAS: N. Branscombe, P. Hubert (2)

NAYS: J.F. Fontana, D.G. Henderson, B. Polhill, S.E. White (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, S.E. White (4)

NAYS: N. Branscombe, P. Hubert (2)

Motion to close the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

11. Properties located at 1057, 1059 and 1061 Richmond Street (Z-8106)

Recommendation: That, on the recommendation of the Managing Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Romlex International Inc., relating to the properties located at 1057, 1059 and 1061 Richmond Street:

- a) the Ontario Municipal Board BE ADVISED that Municipal Council recommends that Zoning By-law No. Z.-1 BE AMENDED as Appendix "A" attached, (in conformity with the Official Plan), FROM a Neighbourhood Facility (NF1) Zone and a Residential R2 Special Provision (R2-2(9)) Zone TO a Holding Neighbourhood Facility Special Provision Bonus (h-5*Nf1()*B()) Zone to permit churches, elementary schools, and day care centres, one (1) residential dwelling unit within the existing church building, located at 1061 Richmond Street, and a Bonus Zone to allow for increased residential density to permit a maximum total of eleven (11) residential dwelling units at the subject property, to be located within the existing building at 1061 Richmond Street, with regulations that permit a maximum of three (3) bedrooms within nine (9) of the dwelling units and a maximum of two (2) bedrooms within two (2) of the dwelling units, a maximum density (61 units per hectare), a minimum of 13 parking spaces, a minimum parking area setback from the east lot line of 0 metres, a minimum parking area setback from the west and south lot line of 1.5 metres and a minimum landscaped open space coverage (30%), in return for heritage preservation by designating 1061 Richmond Street, under Section 29(1) of the *Ontario Heritage Act*, and also in return for enhanced landscaping and site design, by constructing a masonry wall, of no more than 1 metre (3.28 ft) in height, matching the materials and architectural character of the existing building located at 1061 Richmond Street, to provide for screening and the creation of a built street edge along the majority of the Richmond Street frontage and by allowing for no vehicular access to the site from the municipal laneway adjacent to the west and subject to a holding provision which requires a public site plan review;
- b) the Site Plan Approval Authority BE REQUESTED to include the attached, revised, conceptual site plan, in the bonusing clause of any development agreement for this site;
- c) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Neighbourhood Facility (NF1) Zone, which permits churches, elementary schools, community centres, day care centres, libraries, private schools, fire stations, private club, police station and a Residential R2 Special Provision (R2-2(9)) Zone, which permits single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings (maximum 4 dwelling units) TO a Neighbourhood Facility Bonus (NF1*B()) Zone, to permit the same range of uses in the Neighbourhood Facility (NF1) Zone on the entire site except police stations and fire stations as the base zoning and adding a bonus zone to permit 14 residential dwelling units subject to special zoning regulations to permit a minimum landscaped open space coverage (10%), a minimum parking area setback from the interior/rear property line of 0 metres and a parking area setback from the front/exterior side lot lines of 0.5 metres BE REFUSED for the following reasons:
 - i) the requested amendment is not consistent with the Policies for Near-Campus Neighbourhoods of the Official Plan;
 - ii) the requested amendments implement a form of development which is not consistent with the site plan agreement registered to the lands at 1059 Richmond Street; and,
 - iii) the number of special provisions required and the extent to which they deviate from the requirements of the Zoning By-law are indicative of a development that is too intense for the subject site;
- d) the notice of the Municipal Council's intention to designate the property located at 1061 Richmond Street to be of cultural heritage value or interest **BE GIVEN**, for the attached reasons, under the provisions of Section 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18; it being noted that that the owner, Romlex International Inc., has not concurred with the designation;
- e) unrestricted access on Richmond Street BE PERMITTED; and,

f) the developer BE ASKED to work with the City to repair the lane;

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

- a communication, dated September 26, 2013, from M.G. Mann, President & CEO, Statesman; and,
- the attached communication, dated October 8, 2013, from D. Bartlett;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- Greg Priamo, Zelinka Priamo Ltd., on behalf of the applicant – indicating that staff has done a good job providing the Committee with the information that has been presented in the staff report; expressing agreement with the Manager, Planning and City Planner's observation that this is a rare situation; noting that he has been in business for 25 years and has not seen this kind of revision in the recommendation before; advising that they are certainly perplexed by it; indicating that he listened very carefully to Mr. Tomazincic's presentation and has read the report very carefully; advising that they continue to believe that the original report, which was presented to the Committee and the Municipal Council twice, is actually the best and most fair assessment of this situation on a balanced basis; indicating that, in the new report, there seems to be a great deal of weight placed on two things; advising that one of them is the Near Campus Neighbourhood policies, when they were approved and how they were applied to this application; advising that the other item is the existing site plan for this property; indicating that it has been his experience, in the City of London and in many municipalities, that, when Council approves a policy document, whether or not it is subject to Ontario Municipal Board proceedings, it is considered by staff when they are considering applications that are relevant to these policies; indicating that the Committee was advised by Mr. Tomazincic this evening that, because they were not approved by the Ontario Municipal Board, even though they had long since been approved by the Municipal Council, they were not considered in the original reports; indicating that even a cursory review of the original reports clearly shows sections of the reports that deal specifically with the Near Campus Neighbourhood policies; noting that there is an explicit determination that the development, as proposed, complies with the Near Campus Neighbourhood policies; indicating that he is perplexed by the notion that somehow a further review turned that all around; advising that he is also perplexed because he is unable to find anything in the new report, from an informational standpoint, that staff did not have when they wrote the report, their first report, but that they dealt with in a comprehensive and effective way; advising that their site plan was available to staff; noting that staff they said that their site plan was fine, now staff say that it is not; indicating that the Near Campus Neighbourhood Policy was available to them in Council approved status and, as Mr. Tomazincic stated, the Ontario Municipal Board approved the Policy exactly how the Municipal Council approved it; advising that the policies were there and, in his submission, staff did consider them; advising that he is unable to determine what actually happened that resulted in the change in recommendation because the policies existed; indicating that they have two recommendations that rely, in his submissions, on the exact same body of information; indicating that they met with the neighbours before the first report came to the Committee and they met with the neighbours before it came back to the Committee the second time; indicating that there were submissions from the public, but they were the same submissions; reiterating that there was no new information provided at that time; advising that a review of the reports would indicate that they responded to the concerns that were raised; indicating that they agreed to not use the laneway, they agreed to drop the Sherwood property from the application and we are surprised by much of this; indicating that they acquired another property, for parking, because they were advised, and certainly believed, that compelling concerns of the neighbourhood were two things: one, that significant off-site parking would be generated on this site regardless of the land use and there was concern about the diversity of the tenants that may occupy the building; advising that they went to the extraordinary measure to acquire enough land to provide the required number of parking spaces for the units that they were proposing to ensure that they could attract a diversity of tenants to this site and to ensure that they minimized the potential impacts of off-site parking; indicating that they have now been advised that now it is more appropriate to have half the number of the parking spaces and less

diversity in the number of bedrooms in the units; advising that they are struggling with this, but in my submissions to you tonight, he is not looking for a rationalization; suggesting to the Committee that, in their opinion, they have reviewed the two documents and they think staff got it right the first time; indicating that the first report provides a much more balanced, comprehensive assessment and, in my submissions, their original conclusions were the right; reiterating that he urges the Committee to consider that very carefully because they believe that their proposal is well thought out, is a balance between the concerns of the neighbourhood and the economics of this project and it is going to result in the preservation of a culturally significant and a neighbourhood significant building without change; commenting on some of the zoning issues that were raised in the analysis; noting that this is an existing building, they are not creating yards; further noting that the zero yard on the south side, exists today, the parking for the church in that condition exists today; indicating that it is not a new condition that they are proposing; advising that the existing site plan agreement, while it may be instructive, is not regulation; noting that there is no obligation; reiterating that the site plan agreement is for a church and the removal of a manse, not a site plan agreement that is reflective of a converted church building for residential purposes; indicating that a site plan agreement will be required to effect this development and they will go through the process; reiterating that he urges the Committee to consider, very carefully, a balanced approach to this development and to look favourably on the original recommendation; requesting the Committee to instruct, through staff, to the Ontario Municipal Board, that the original report is the preferred solution in this regard; advising that, even prior to this staff report, they agreed that access would be entirely off of Richmond Street and to not use the laneway as part of their access arrangement; advising that they filed an urban design brief with their application; indicating that a component of the urban design brief is a compatibility report that is entrenched in the urban design; advising that the direction that was referred to by Council in part e) of your previous resolution was to revise the urban design brief to address the revised project proposal; reiterating that that was the direction; noting that it was not a direction to provide a compatibility report; reiterating that the compatibility analysis was filed in the urban brief, in the original application and, at the direction of the Council, they provided a revised version to staff; indicating that this information is available; advising that their determination may be different from others, but their analysis is there and they stand behind it; and advising that it meets the criteria in the Official Plan policies.

- Sid Noel, 196 Sherwood Avenue – commending the Planning Department staff for this very thoughtful report; indicating that it is clearly based on research and presents a clear rationale for the recommendations; requesting clarification on one aspect of the report, involving the traffic in and out of the parking lot for the development; realizing that access to the laneway is not part of the proposal; noting that this has been clearly stated; advising that there has been some discussion of permitting only right turns in and right turns out into the parking lot for the development; advising that this would be a mistake in many respects; indicating that he believes that it would lessen the chance of the owner of the property having an economically viable development because it would inconvenience those who must use the parking lot as well as the residents of Sherwood Avenue; noting that, if that was the case, a resident of the complex arriving from South London would not be able to turn left into the parking lot, the driver would have to turn left onto Sherwood Avenue, which is a narrow street and try to do a three-point turn because the street is too narrow to do a u-turn; indicating that this is difficult enough to do in good weather, but it is doubly difficult to do when there are cars parked on the side and in winter when there is snow piled up; noting that this is unnecessary for this project and he hopes that it is off the table; indicating that, at the last meeting, there was unanimous agreement that this should not be permitted; indicating that the idea of putting a pork chop barrier in the center of Richmond Street really ought to be a non-starter; seeking confirmation that this is so; noting that he is not speaking on the developers behalf but this is a common interest for the developer and the residents of Sherwood Avenue; expressing support for the report in its entirety, with this important confirmation; advising that the report does not meet all of the wish list of the area residents but it goes a long way to meeting their concerns; and urging the Committee members to support the staff report.

- Steve Harris, 201 Sherwood Avenue – expressing a number of concerns with the intensity of the project; believing that the reduced density would mitigate many of the deficiencies in the proposal for the church site; wishing to speak about two specific matters; indicating that, as they reside two doors west of Richmond Street, the demolition of the home at 1057 Richmond Street will create a serious noise problem for them from the volume of traffic on Richmond Street; noting that all of the Officials present are aware of the cost of noise barriers for neighbourhoods; further noting that the least expensive option for all parties stands currently at 1057 Richmond Street and it would be demolished as part of the proposal; indicating that their most serious worry has been addressed in the new report; expressing appreciation to Council and to the Planner for their concerns for the neighbourhood around the church, for listening to the public and letting democracy work; advising that half of the families on the street have school age children and their safety is their primary concern; advising that the laneway on the west side of the church is their pathway to school; indicating that the Municipal Council agreed unanimously that the narrow lane should not be part of the redevelopment of the church; advising that, regardless of other planning rationale, to argue to the contrary is to argue that children's safety is not a baseline value for the community; and advising that he speaks on behalf of all of the families on the street when he says that they are most grateful to Council and the Planning Department when you agree that children's safety should be at the top of the list.
- Michael Backx, 192 Sherwood Avenue – expressing appreciation to the staff for the revised report as it is a major improvement from where they were at with the first report; advising that their biggest concern has always been the density; indicating that the applicant has never provided a character statement or a compatibility report showing how his development will fit in with the neighbourhood; advising that the residents were left with not many options and ultimately they ended up getting the advice of another Planner who gave them a recommendation which was compatible with the neighbourhood; noting that that recommendation was six units in the church with three bedrooms, leaving the home on Richmond Street which would preserve the landscape and the beautiful gateway that the Council has talked about entering the City of London, which would have worked out for everyone; advising that the applicant has a different idea; indicating that he wanted to rip down the house and create all parking there; reiterating that he did not show any compatibility with the neighbourhood; reiterating that this report is a major improvement; raising that, in comparing the first staff report, with 14 units and 34 bedrooms, with the second report, where they have nine units and 27 bedrooms; noting that, on a proportionate basis, the reduction in units is 36% while the reduction in bedrooms is only 20%; indicating that, in order to be consistent with this new report, then of 36% reduction, the maximum number of bedrooms should be 21, which is more in line with what the neighbourhood suggested and also more in line with the recommendation that the Council referred back to the Planners; advising that, if he remembers correctly, at the last Council meeting, the Civic Administration, asked specific guidance on what Council wanted staff to consider; indicating that Council was very clear in its response, indicating that they will have the maximum target goal density of 45 units per hectare; noting that this was based on six units in the church, with two bonus units in the church, the house remaining with one unit with the existing number of bedrooms in it; further noting that this would bring it up to 45 units per hectare; reiterating that the Civic Administration asking the question, but he has not heard from them this evening, the rationale for going from 45 units per hectare to 50 units per hectare; reiterating that there has never been anything from the applicant outlining how this is going to fit in with the neighbourhood; and indicating that all the parameters required in the Official Plan have not been provided by the applicant and therefore, this application was deficient.
- Mary Ann Colihan, 191 Sherwood Avenue – see attached presentation.
- Paul Adams, 191 Sherwood Avenue - see attached presentation. (2013D14A)

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, S.E. White (4)

NAYS: N. Branscombe, P. Hubert (2)

Voting Record:

Motion to open the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

Motion to close the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

Motion to move clause 11, as amended, in part a), to increase the units from 9 units to 11 units, with two additional two bedroom units and two additional parking spots and to add part e) to include unrestricted access to Richmond Street.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, S.E. White (4)

NAYS: N. Branscombe, P. Hubert (2)

Motion to include part f) to ask the developer to work with the City to repair the lane.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, S.E. White (4)

NAYS: N. Branscombe, P. Hubert (2)

IV. ITEMS FOR DIRECTION

12. Property located at 3493 Colonel Talbot Road

Recommendation: That, the Civic Administration BE DIRECTED to meet with York Developments to determine if the proposed development, located at 3493 Colonel Talbot Road, can be accommodated expediently and to report back at a November Planning and Environment Committee meeting; it being noted that the Planning and Environment Committee reviewed and received the attached presentation from D. Ailles, York Developments and L. Courtney, 3493 Colonel Talbot Road, with respect to the property located at 3493 Colonel Talbot Road.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

Voting Record:

Motion to allow York Developments delegation status.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

13. Planning and Environment Committee Meeting – October 29, 2013

Recommendation: That, the start time of the October 29, 2013 Planning and Environment Committee meeting BE CHANGED to 4:30 PM.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White
(6)

VI. ADJOURNMENT

The meeting adjourned at 8:09 PM