

1ST REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on December 12, 2011, commencing at 4:05 PM, in the Council Chambers, Second Floor, London City Hall.

PRESENT: Councillor B. Polhill (Chair), Councillors J.P. Bryant, D.G. Henderson, J.B. Swan and S. White and H. Lysynski (Secretary).

ALSO PRESENT: Mayor J. F. Fontana and Councillors J. L. Baechler and M. Brown, R. L. Fair, P. McNally, D. Ailles, G. Barrett, G. Belch, P. Christiaans, B. Debbert, A. Dunbar, M. Elmadhoon, J. M. Fleming, S. Galloway, E. Gamble, B. Gilmore, T. Grawey, S. Hanwell, B. Henry, P. Kokkoros, B. Krichker, J. Leunissen, I. Listar, L. MacDougall, L. Marshall, S. Mathers, H. McNeely, D. Menard, C. Parker, N. Pasato, C. Saunders, C. Smith, D. Stanlake, L. Stevens, M. Tomazincic, J. Yanchula and P. Yeoman.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That Councillor Polhill disclosed a pecuniary interest in clause 20 of this Report relating to the property located at 7092 Longwoods Road, by indicating that his son is a member of the Committee of Adjustment.

II. SCHEDULED ITEMS

2. Amend Zoning By-law Z.-1 to Correct Two Special Provision Zones Numbered in Error

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner and the City Clerk, the following actions be taken with respect to lands located at 1311 and 1451 Wharncliffe Road South and 655-685 Fanshawe Park Road West:

- a) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on January 10, 2012 for the purpose of amending the City of London Zoning By-law Z.-1, (in conformity with the Official Plan), to renumber the Special Provision Zone RSC2(10) relating to the property located at 1311 and 1451 Wharncliffe Road South from RSC2(10) to RSC2(11) in order to correct a clerical error; and,
- b) the attached proposed by-law (Appendix "B") **BE INTRODUCED** at the Municipal Council meeting to be held on January 10, 2012 for the purpose of amending the City of London Zoning By-law Z.-1, (in conformity with the Official Plan), to renumber the Special Provision Zone RSC4(16) relating to the property located at 655-685 Fanshawe Park Road West from RSC4(16) to RSC4(19) in order to correct a clerical error;

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

- M. Zunti, Sifton Properties Limited, on behalf of the applicant – expressing support for the application.

3. MHBC Planning re property located at 1680 Richmond Street

Recommendation: That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of MHBC Planning relating to the property located at 1680 Richmond Street:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for Site Plan approval;

- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the granting of the Site Plan application for the revised elevations at 1680 Richmond Street; and,
- c) the Approval Authority **BE ADVISED** that the Municipal Council supports the Development Agreement Clauses proposed in the attached Appendix A;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter.

4. MHBC Planning re property located at 785 Wonderland Road South

Recommendation: That, on the recommendation of the Director, Development Planning, the following actions be taken with respect to the site plan approval application of MHBC Planning relating to the property located at 785 Wonderland Road South:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for Site Plan approval;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the granting of the Site Plan application for the revised elevations at 785 Wonderland Road South; and,
- c) the Approval Authority **BE ADVISED** that the Municipal Council supports the Development Agreement Clauses proposed in the attached Appendix A;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter.

5. Finch Chevrolet Cadillac Buick Ltd. re property located at 530 Oxford Street West (Z-7969)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, with respect to the application of Finch Chevrolet Cadillac Buick GMC Ltd., relating to the property located at 530 Oxford Street West, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on January 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Community Shopping Area (CSA4) Zone which permits a range of community scale, commercial retail and service uses and some office uses, TO a Community Shopping Area/Temporary Use (CSA4/T-___) Zone to permit the same range of uses, and an automobile sales and service establishment related to the permanent automobile sales and service establishment located at 640 Wonderland Road North, on a temporary basis for a period of 18 months;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter.

6. Wortley Village - Old South - Heritage Conservation District Study

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the proposed Wortley Village-Old South Heritage Conservation District:

- a) the Final Draft Study Report of the Wortley Village Heritage Conservation District, November 2011 **BE RECEIVED** ; and,
- b) Phase 2 of the Wortley Village-Old South Conservation District Study **BE INITIATED** to select consultants to prepare Official Plan policies, a District Plan and Conservation Guidelines and any appropriate programs, to be used upon the designation of the area as a Heritage Conservation District under Section 41 (Part V) of the *Ontario Heritage Act*;

it being noted that:

- i) the proposed boundaries have been expanded since the initiation of the Study;
- ii) Further consultation is to be held with the London Advisory Committee on Heritage and the local community, prior to a public participation meeting being held before the Planning and Environment Committee to consider the By-law to establish a Heritage Conservation District;
- iii) funding for Phase 2 was approved as part of the 2011 capital budget; and,
- iv) the Advisory Committee on Heritage has been consulted with and is in support of the initiation of Phase 2 of the Study, with the suggested revised boundaries.

7. Downtown Master Plan - Downtown Heritage Conservation District Plan

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the draft Downtown Heritage Conservation District Plan **BE CIRCULATED** to the public, landowners, agencies and the London Advisory Committee on Heritage for review and comment prior to finalization and the holding of a public participation meeting.

8. Official Plan Review

Recommendation: That, the following information regarding the Official Plan Review **BE RECEIVED**:

- a) an information report from the Director, Land Use Planning and City Planner with respect to the draft Request for Proposal for the public engagement program;
- b) an information report from the Director, Land Use Planning and City Planner with respect to the public feedback on the draft Terms of Reference; and,
- c) a communication from S. Farhi, Farhi Holdings Corporation. The PEC referred the communication to the Civic Administration for further consideration;

it being noted that a report will be provided to a future meeting of the Strategic Priorities & Policy Committee, with respect to this matter;

it being further noted that a public “drop-in” open house is being held on December 13, 2011; and, that the Civic Administration will be reporting at the January 30, 2012 statutory public participation meeting before the Strategic Priorities & Policy Committee regarding the modifications to the Terms of Reference, in response to the feedback received from the general public, municipal departments and review agencies.

9. Draft Southwest Area Plan (SWAP) - Land Use Plan, Phasing and Servicing Strategy, Transportation Network and Natural Heritage Features Plan (O-7609)

Recommendation: That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the Civic Administration **BE ASKED** to prepare a second concept of the Southwest Area Plan (SWAP) for public review, showing greater focus of retail and commercial uses on the Wonderland Road corridor;

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

- R. Zelinka, Zelinka Priamo Ltd., dated December 9, 2011;
- C. M. Weibe, MHBC Planning, dated December 9, 2011;
- C. M. Weibe, MHBC Planning, dated December 8, 2011;
- Soufan, York Developments, dated December 10, 2011; and,
- R. Collins, Hully Gully, dated December 9, 2011.

10. Urban Design Guidelines

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the Draft Urban Design Guidelines:

- a) the Draft Urban Design Guidelines **BE CIRCULATED** for comment to the London Development Institute, the Urban League, the London Homebuilders Association, London area planning consultants, London area landscape architects and urban designers, London Transit Commission, the London Advisory Committee on Heritage, the Environmental and Ecological Planning Advisory Committee, the City's Utility Coordinating Committee and the Urban Design Peer Review Panel; and,
- b) the Civic Administration **BE ASKED** to provide examples of projects to demonstrate how the Urban Design Guidelines have been applied.

11. Duo Building Ltd. re property located at 90 Central Avenue

Recommendation: That, on the recommendation of the Director, Development Planning, the following actions be taken with respect to the site plan approval application of Duo Building Limited relating to the property located at 90 Central Avenue:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for Site Plan approval;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the granting of the Site Plan application for an attached addition to the existing four-unit converted dwelling (for a total of 5 residential units); and,
- c) the applicant **BE ADVISED** that the Director, Development Finance, has projected the claims and revenues related to this development as outlined on the attached (Schedule "A").

12. LHSC South Street Hospital Complex - Heritage Issues

Recommendation: That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the report relating to heritage matters at the London Health Sciences Centre South Street Hospital Complex **BE REFERRED** to the Civic Administration for further consideration and to report back at a public participation meeting to be held on January 16, 2012.

13. Lighting - Your Storage Team - 715 Fanshawe Park Road

Recommendation: That, the Civic Administration **BE DIRECTED** to hold a meeting with representatives of the community and representatives of Your Storage Team to find measures to mitigate the concerns expressed by adjacent properties with respect to lighting at 715 Fanshawe Park Road;

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

- Councillor M. Brown, dated December 2, 2011;
- D. McKinnon, dated November 28 and December 2, 2011; and,
- M. Harvey, Manager, Conference Services, The University of Western Ontario, dated December 2, 2011;

it being further noted that the Planning and Environment Committee reviewed and received a communication, dated December 4, 2011, from D. Ionescu, with respect to this matter.

14. 10th Report of the Trees and Forests Advisory Committee

Recommendation: That, on the recommendation of the Trees and Forests Advisory Committee (TFAC), the following actions be taken with respect to the Forestry Strategic Review and the Street Tree Wait List:

- a) the Civic Administration **BE REQUESTED** to develop a reporting framework related to the implementation process of the Forestry Strategic Review; and,
- b) the Civic Administration **BE REQUESTED** to provide an update to the TFAC, with respect to the Forestry Strategic Review priorities established for the next 12 months;

it being noted that the TFAC received a draft Request for Proposal (RFP) from S. Rowland, Urban Forestry Planner, with respect to the Forestry Strategic Review. The TFAC provided comments and suggestions for Civic Administration's consideration; it being noted that the TFAC appointed B. Sheill to represent the TFAC on the RFP review team and asked that Ms. Rowland be included as a member, as well;

- c) the Civic Administration **BE REQUESTED** to report back to the Trees and Forests Advisory Committee (TFAC) with details of the current wait-time for homeowners to receive a tree following the submission of a request; and,
- d) that clauses 3 through 5, inclusive of the 10th Report of the Trees and Forests Advisory Committee, from its meeting held on November 23, 2011, **BE RECEIVED AND NOTED**;

it being noted that the Planning and Environment Committee heard a delegation from B. Gilmore, Chair, Trees and Forests Advisory Committee, with respect to this matter.

15. London Dairy Farm re properties located at 2034 and 2214 Wilton Grove Road and 3700 Old Victoria Road (Z-7960)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of London Dairy Farm relating to the property located at 2034 and 2214 Wilton Grove Road and 3700 Old Victoria Road:

- a) the revised, attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on January 10, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Agricultural (AG2) Zone which permits farms and associated agricultural uses and an Agricultural Special Provision (AG2 (6)) Zone which permits the same range of agricultural uses and allows for a livestock auction establishment **TO** an Agricultural (AG2) Zone which permits farms and an Agricultural Special Provision (AG2 ()) Zone which permits farms and agri-tourism uses such as farm tours and corn mazes in association with the existing agricultural use, and an Agricultural Commercial Special Provision (AGC1 ()) Zone which permits a range industrial uses associated with agriculture such as farm food and product market, farm equipment sales, livestock auction establishment and would specifically allow dairy products manufacturing on a 0.6 ha maximum site area and with gross floor area of 600m² maximum in association with the existing agricultural use; and,
- b) pursuant to Section 34(17) of the *Planning Act*, no further public notice be given with respect to the recommendations of the proposed Zoning By-law since the proposed amendment was included in the description of the previous legal notice for this application;

it being noted that the Planning and Environment Committee reviewed and received the attached communication, dated December 12, 2011, from S.

Cornwell, Zelinka Priamo Ltd., with respect to this matter; it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- S. Cromwell, Zelinka Priamo Ltd., on behalf of the applicant – requesting that there not be a cap on the gross floor area; however, if there has to be a cap, requesting that it be 600 m².

16. Longwood Oaks Ltd. re property located at 35 Southdale Road East (Z-7954)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Longwood Oaks Ltd relating to the property located at 35 Southdale Road East:

- a) the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting to be held on January 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Associated Shopping Area Commercial (ASA1/ASA2) Zone which permits: Animal hospitals; Brewing on premises establishment; Convenience service establishments; Convenience stores; Dry cleaning and laundry plants; Duplicating shops; Financial institutions; Grocery stores; Personal service establishments; Pharmacies Printing establishments; Repair and rental establishments; Restaurants; Retail stores; Service and repair establishments; Studios; Supermarkets; Video rental establishments TO a Restricted Service Commercial Special Provision (RSC1()/RSC2()/RSC3/RSC4()/RSC5()) Zone to permit a wide range of service commercial, automotive, and home improvement uses as well as a limited range of secondary uses including: assembly halls; private clubs; clinics; medical/dental offices; pharmacies; liquor, beer and wine stores; funeral homes; emergency care establishments; and commercial recreation establishments with a special provision to reduce the minimum required landscaped open space coverage from 15% to 12%;
- b) the Site Plan Approval Authority **BE REQUESTED** to consider the following design objectives through the Site Plan process:
 - i) the implementation of a landscaped area along the Southdale Road East street frontage, which includes:
 - a patterned paving material to create a building forecourt;
 - Avoidance of curb and channel paving methods to provide for safe and convenient pedestrian access to and from, as well as, around the site;
 - Screening of the surface parking area (to the east of the building) that is exposed to the public realm. Waist-high landscape walls, planting material and lighting should be used to achieve this measure;
 - Landscape planting material which defines the public realm and prominent walkways to the principal building entrance(s);
 - ii) the construction of built form which incorporates:
 - A diversity of material types, including transparent glass along the street frontage;
 - Form and massing that provides both vertical and horizontal architectural expression;
 - Form and massing that clearly identifies the principal entrance(s) of the building;
 - The integration of business identification signage within the architecture of the building, so as to reduce the visual clutter along the streetscape.
- c) the Civic Administration **BE ASKED** to determine potential transportation links;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated December 9, 2011, from M. Snowsell, Land Use Regulations Officer, Upper Thames River Conservation Area, with respect to this matter;

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

- J. Sennema, Z. Group, on behalf of the applicant – advising that there will be a future road to White Oaks Side Road; indicating that there is a ghost plan in place to create more flexibility; advising that they wanted to show the future road to inform the public; advising he was advised by the Civic Administration that the connection to Southdale Road is not allowed; and that this is a \$10,000,000 investment in London.
- B. Easter, 2621 Bateman Trail – advising that there are currently medium-density residential condominiums being built; indicating that he was not aware of that this type of development would be 40 feet from his front door; advising that he has expressed his concerns to Finch Hyundai due to the volume of their speaker system; advising that he went door-to-door in September and all of his neighbours are concerned about the volume of traffic; noting that the condominiums would only have singular access; enquiring as to why they are moving off Wharncliffe Road onto Southdale Road; asking how long they would have to put up with the traffic while the condominiums are being constructed; asking if both developers could agree to allow access to 2635 Bateman Trail and advising that there is already water on the site and that you can only put asphalt over top of it.
- K. Caruan-Gillard, 2624 Bateman Trail – indicating that there are no variety or different stores in their neighbourhood; advising that she has two teenagers who have to walk through the entire subdivision to get to the bus stop; requesting that someone be given the chance to build a variety store; advising that she is the fourth person to build on Bateman Trail and that she would not have built her house there if she had known there would be a car dealership built there.

17. The City of London re properties located at 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649 and 1653 Richmond Street (OZ-7965)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of The City of London relating to the properties located at 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street:

- a) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan to change the designation of the subject lands FROM a Low Density Residential designation TO a Multi-Family, Medium Density Residential designation to permit the development of multiple-attached dwellings, such as row houses or cluster houses, low-rise apartment buildings, small-scale nursing homes, rest homes, homes for the aged and a convenience commercial component within an apartment building;
- b) the attached proposed by-law (Appendix "B") **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan by adding a new special policy to Section 3.5 (Policies for Specific Areas) to guide the future development of the subject properties;
- c) pursuant to Section 19.2 of the Official Plan, the attached *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* (Appendix "C") **BE ADOPTED** at a future Municipal Council meeting;

- d) pursuant to Section 19.2.2 of the Official Plan, the attached proposed by-law (Appendix "D") **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan by adding the "*Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*" to the list of Council approved guideline documents;
- e) the revised, attached proposed by-law (Appendix "E") **BE INTRODUCED** at a future Municipal Council meeting to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a) above), to change the zoning of the properties located at 1607, 1609 (eastern portion) and 1611 Richmond Street FROM a Holding Residential R5 Special Provision/Residential R6 Special Provision (h-5•R5-2(12)/R6-4(14)) Zone which permits cluster single detached dwellings, cluster semi-detached dwellings, cluster duplex dwellings, and cluster townhouse dwellings subject to a special zoning provision which regulates the minimum lot area (0.6 ha.), minimum lot frontage (70m), maximum lot coverage (35%), maximum density (30 units per hectare), maximum height (10.5m), minimum front yard depth (3m), minimum rear yard depth (7.5m) and restrictions on the location of parking areas and subject to a holding provision requiring a public site plan review of the proposed development prior to the removal of the holding provision **TO** a Holding Residential R5 Special Provision (h-(*)•h-(**)*R5-2(*)) Zone to permit cluster townhouses and cluster stacked townhouses with a special zoning provision which includes: a minimum lot frontage (70m); minimum lot area (0.4 ha.); maximum front yard depth (3m); minimum rear yard and south interior side yard depth (15m); maximum lot coverage (35%); maximum density (45 units per hectare); maximum number of bedrooms per dwelling unit (3); and, maximum height (12.0m on the eastern portion and 9.5m on the western and southern portions) subject to holding provisions to ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and that a storm/drainage and stormwater management (SWM) servicing design report has been prepared and accepted to ensure that future development has the sufficient storm outlet and SWM servicing;
- f) the revised, attached proposed by-law (Appendix "F") **BE INTRODUCED** at a future Municipal Council meeting to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), as amended in part (a) above, to change the zoning of the properties located at 1615, 1619, 1623 and 1627 Richmond Street FROM a Holding Residential R5 Special Provision/Residential R6 Special Provision (h-5•R5-2(12)/R6-4(14)) Zone which permits the above listed uses, subject to the above listed special zoning regulations, and subject to the above listed holding provision **TO** a Holding Residential R9 Special Provision (h-(*)•h-(**)*R9-7(***)) Zone to permit cluster townhouses, apartment buildings, senior citizen apartment buildings, and continuum of care facilities with a special zoning provision which includes: a minimum lot frontage (70m); minimum lot area (0.6 ha.); maximum front yard depth (3m); minimum rear yard depth (15m); maximum lot coverage (40%); maximum density (150 units per hectare); maximum number of bedrooms per dwelling unit (3); and, maximum height (15.0m on the eastern portion and 9.5m on the western portion) subject to holding provisions to ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and that storm/drainage and a stormwater management (SWM) servicing design report has been prepared and accepted to ensure that future development has the sufficient storm outlet and SWM servicing;
- g) the attached proposed by-law (Appendix "G") **BE INTRODUCED** at a future Municipal Council meeting to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a) above), to change the zoning of the properties located at 1631, 1635, and 1639 Richmond Street FROM a Holding Residential R5 Special Provision/Residential R6 Special Provision (h-5•R5-2(12)/R6-4(14)) Zone which permits the above listed uses, subject to the above listed special zoning regulations, and subject to the above listed holding provision (1631 and 1635 Richmond Street) **AND** a Residential R5 Special

Provision/Residential R6 Special Provision (R5-2(12)/R6-4(14)) Zone which permits the above listed uses and subject to the above listed special zoning regulations (1639 Richmond Street) TO a Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(**)/CC4(*)) Zone to permit cluster townhouses, apartment buildings, senior citizen apartment buildings, and continuum of care facilities in the R9-7(**) Zone with a special zoning provision which includes: a minimum lot frontage (70m); minimum lot area (0.6 ha.); maximum front yard depth (3m); minimum interior side yard depths (3m); minimum rear yard depth (15m); maximum lot coverage (45%); maximum density (200 units per hectare); maximum number of bedrooms per dwelling unit (3); maximum height (20.0m on the eastern portion and 9.5m on the western portion); and permits convenience service establishments, convenience stores, financial institutions, personal service establishments, and take out restaurants in the CC4(*) Zone with a special zoning provision which includes: a maximum gross floor area for convenience commercial uses (200.0m²); and, no additional parking requirements for commercial uses;

- h) the revised, attached proposed by-law (Appendix "H") **BE INTRODUCED** at a future Municipal Council meeting to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a) above), to change the zoning of the properties located at 1643, 1649, and 1653 Richmond Street FROM a Holding Residential R5 Special Provision/Residential R6 Special Provision (h-5•R5-2(12)/R6-4(14)) Zone which permits the above listed uses, subject to the above listed special zoning regulations, and subject to the above listed holding provision **TO** a Holding Residential R9 Special Provision (h-(*)•h-55•R9-7(*)) Zone for the properties located at 1643, 1649, and 1653 Richmond Street to permit cluster townhouses, apartment buildings, senior citizen apartment buildings, and continuum of care facilities with a special zoning provision which includes: a minimum lot frontage (70m); minimum lot area (0.6 ha.); maximum front yard depth (3m); minimum interior side yard depths (3m); minimum rear yard depth (15m); maximum lot coverage (45%); maximum density (200 units per hectare); maximum number of bedrooms per dwelling unit (3); maximum height (20.0m on the eastern portion and 9.5m on the western portion) subject to a holding provision to ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and to require the completion of a traffic impact study prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads, and the roadway improvements required to accommodate this development; and,
- i) three readings of the by-laws enacting the Official Plan and Zoning By-law amendments, as recommended in clauses (a) to (h) above, **BE WITHHELD** until such time as site plan approval has been obtained for the properties at 1631, 1635, and 1639 Richmond Street, following a public site plan review, and a development agreement entered into with the City of London, which is consistent with the site plan drawings and elevation drawings attached hereto as Appendix "I"; and,
- j) the Civic Administration **BE DIRECTED** to retain a consultant to undertake a transportation study, including traffic impact analysis, for the neighbourhood, bounded by Louise Blvd (to the west), Taplow Rd, Hillside Dr, McStay Rd and Shavian Blvd (to the south), Richmond Street (to the east) Fanshawe Park Road and Hillview Blvd (to the north) (the "Study Area") that will:
- i) identify concerns, with a specific emphasis on cut-through traffic, speeding and hazardous driving on local streets and recommend mitigation measures to address these concerns;
 - ii) recommend measures to enhance pedestrian quality and safety;
 - iii) recommend appropriate road layout and design that will mitigate traffic impacts of the proposed development on the Study Area; and,
 - iv) include input from the residents of the Study Area throughout the Study process;

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

- a Municipal Council resolution adopted at its meeting held on March 8, 2010;
- M. Lake-Collins, dated December 7, 2011;
- F. Metwaly, 1631, 1635 and 1639 Richmond Street, dated December 8, 2011;
- B. Davis, President, Old Masonville Ratepayers' Association, dated December 9, 2011;
- S. & R. Poole, 51 Shavian Boulevard, dated December 12, 2011;
- C. Lynn, dated December 12, 2011; and,
- L. Culhane, 110 St. Bees Close, dated December 12, 2011;

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

- J. Lowman, 1650 Hillside Drive – advising that she is an active member of the Home and School Council at Masonville Public School; advising that there are a number of traffic regarding school safety due to the lack of sidewalks; advising that she personally approves of the plan as it is the lesser of two evils; hoping that the city addresses traffic concerns; advising that on Cherokee, there are no sidewalks and that all streets do not have street lights; advising that two kids have been clipped by side view mirrors on cars; and asking that people and children are put first and traffic is put second.
- M. Shmukler, 1643 Hillside Drive – advising that he approves of the plan as it is far superior to the previous plan; advising that a traffic study was to be done when the three north properties are developed and indicating that he would like to see the traffic study completed now; advising that roads are designed to push traffic through and that these are residential streets with families and children; requesting that a vehicular study be undertaken to ensure that traffic slows down, with an emphasis on families and children, as a neighbourhood where children ride their bicycles, neighbourhours walk their dogs; and suggesting that this be done as a pilot project.
- B. Davis, President, Old Masonville Ratepayers' Association (OMRA) – indicating that the OMRA supports this application; advising that they share the traffic concerns; and expressing support for the recommendation of a traffic study in the spring and the requirement for a holding provision.
- F. Matwaly, Applicant – indicating that he has been working closely with Ward Councillor M. Brown, Mr. Tomazincic, Planner II, and the community; advising that the Ontario Municipal Board has approved the site plan application for the properties located at 1631 and 1635 Richmond Street; advising that the City did not approve his request for a traffic light at Jacksway Crescent; advising that the application is not correct and needs to be modified; indicating that it is necessary for a traffic light on Jacksway Crescent; advising that without the Stormwater Management upgrade, the application is useless; indicating that he had to find his own solution five years ago; expressing concern with the withholding of the three readings; advising that he does not want to spend a lot of time and money only to have the application appealed; requesting that both applications be approved tonight; and advising that he currently has Ontario Municipal Board approval.
- J. Wright, 45 Hillview Boulevard – advising that she purchased her property in 2009; expressing appreciation to Mr. Matwaly; advising that she has been a realtor for 27 years; indicating that she loves the design; applauding the City for dealing with a plan that includes people over 65; advising that Richmond Street could be a beautiful corridor; indicating that this plan looks like something you would find in Yorkville; advising that Mr. Matwaly has provided a nice design; indicating that traffic is an issue; expressing concern that the new building will have 400+ cars that will be exiting onto Hillview Boulevard; advising that residents of Cherokee prefer a 50 foot setback; indicating that there are no sidewalks

- or streetlights on Cherokee Road and that you cannot see anything at night; and advising that new families are moving into the neighbourhood.
 - M. McDermid, 29 Cherokee Road – advising that she has lived at her residence since 1977; advising that the area residents have worked as a community with the City; expressing pleasure with the new attitude of the Council; indicating that traffic is a problem, but that it is a problem everywhere; and congratulating the City for doing this.
18. Application by Drewlo Holdings Inc. re properties located at 1522 Kilally Road, 1654 Highbury Avenue North and a portion of 1782 Kilally Road (39T-05505/Z-7942)

Recommendation: That, notwithstanding the recommendation of the Director of Development Planning and the Managing Director of Development Approvals Business Unit, with respect to the applications by Drewlo Holdings Inc. relating to the properties located at 1522 Kilally Road, 1654 Highbury Avenue North, and a portion of 1782 Kilally Road, a special meeting of the Planning and Environment Committee **BE HELD** on Tuesday, January 10, 2012 at 4:00 p.m. to allow an opportunity for the Ward Councillor to meet with the developer and the residents;

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

- K. McIntosh, Drewlo Holdings Inc. – expressing support for the staff recommendation; reiterating that high density has not changed, that medium density has been lowered and that low density has increased; advising that the zoning is in place, but that minor tweaking is being done; indicating that there are two minor road revisions and that the Stormwater Management pond is being relocated.
- D. Ruebsam, 1605 Portrush Way – advising that she resides north of the river; indicating that a six storey apartment building and cluster housing will be built close to the neighbourhood; indicating that it does not fit into the contour of Highbury Avenue; advising that she does not want people looking into her backyard; indicating that there is the possibility of the installation of a traffic light on the south side of the bridge; indicating that there are street lights at Kilally, Purser and Killarney; requesting the installation of a cul-de-sac to stop pedestrian traffic; requesting another service road higher on the hill on Killarney; indicating that Huron and Highbury, Oxford and Wonderland are not nice to look at; and requesting an increase in the number of condominiums.
- S. Lavigne, 1659 Portrush Way – advising that she built her house in 2007 and lives on the north side of the river; advising that she was informed that there would not be development on the other side of the river; enquiring as to why developers can get away with not telling people the truth about what they are buying; indicating that it is wonderful that the Masonville residents are working with the developer and that she would love Drewlo to do the same with them; indicating that she paid a premium value to back onto the river; indicating that she was not anticipating people in a high rise looking at their backyards; expressing concern about barrack style townhouses; asking why apartments are not built on medium density; and requesting that the apartments and townhouses are built closer to the park.
- P. Chapman, 1614 Purser Street – advising that he purchased his property in June, 2010 and that he backs onto a watershed; advising that there is a storm sewer at the back of his property; advising that he was informed by his realtor that the property behind his is conservation area and is deemed as “green space”; advising that his property value has decreased significantly; advising that he has mature trees in his backyard; indicating that he commutes to Markham every day and that he does not want to move; advising that he has deer, great blue herons and geese in his backyard and that with the proposed development, they will all be wiped out.
- M. MacLean, 1630 Portrush Way – asking Council to defer their decision to allow the residents to review the 72 page report that they received the Thursday prior to the meeting.

III. CONSENT ITEMS

19. Limiting Distance (No-Build) Agreement Between the Corporation of the City of London and Barvest Realty Incorporated (725 Third Street)

Recommendation: That, on the recommendation of the Executive Director, Planning, Environmental & Engineering Services, the following actions be taken with respect to a limiting distance (no-build) agreement between the Corporation of the City of London and Barvest Realty Inc. for the property at 725 Third Street:

- a) the Executive Director Planning, Environmental & Engineering Services **BE AUTHORIZED** to execute, on behalf of the City of London, as the Adjacent Property Owner, a limiting distance (no-build) agreement for the property at 725 Third Street; and,
- b) the attached proposed By-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on January 10, 2012 to delegate authority to the Executive Director Planning, Environmental & Engineering Services to execute, on behalf of the City of London as the adjacent property owner, a limiting distance (no-build) agreement for the property at 725 Third Street.

20. Nicolas Schidowka re property located at 7092 Longwoods Road

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board submitted by Robert Walpole, on behalf of Nicolas Schidowka, relating to the minor variance application A.072/11 concerning 7092 Longwoods Road, the following actions be taken:

- a) the Ontario Municipal Board **BE ADVISED** that the Municipal Council supports the Committee of Adjustment decision to refuse the minor variance; and,
- b) the City Solicitor and Director of Land Use Planning and City Planner **BE DIRECTED** to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Committee of Adjustment's decision.

21. Oakridge Heights Development Inc. re property located at 495 Oakridge Drive (H-7978)

Recommendation: That, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, based on the application of Oakridge Heights Development Inc. relating to the property located at 495 Oakridge Drive, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the southerly portion of 495 Oakridge Drive FROM a Holding Residential R6 Special Provision (h-101 R6-2(9)) Zone; TO a Residential R6 Special Provision (R6-2(9)) Zone to remove the h-101 holding provision from these lands.

22. Pemic Land Corporation re property located at 1480 Riverbend Road (39T-10504)

Recommendation: That, on the recommendation of the Director of Development Planning, in response to the letter of appeal to the Ontario Municipal Board from Barry R. Card, on behalf of Pemic Land Corp., dated August 22, 2011, relating to the draft plan of residential subdivision application concerning the property located at 1480 Riverbend Road, the following actions be taken:

- a) the Ontario Municipal Board **BE ADVISED** that the Municipal Council supports the granting of the draft approval of the proposed plan of subdivision submitted by Pemic Land Corporation and Sifton Properties

Limited, prepared by AECOM Canada Ltd. (Drawing No. DP1) and certified by Robert Stirling, FKS Land Surveyors, dated September 30, 2010, showing 29 single detached residential lots and 2 blocks for future residential development, served by two local streets and Riverbend Road, **SUBJECT TO** the conditions contained in the attached Appendix "39T-10504-1" being met;

it being noted that a recommendation to approve a residential draft plan of subdivision, with conditions of draft approval, is being brought forward pursuant to the Municipal Council resolution adopted at its meeting held on May 9, 2011, as the time period established by the subdivision agreement in which the London District Catholic School Board has to complete the transaction of purchase and sale of the subject lands has lapsed;

- b) the City Solicitor's Office **BE DIRECTED** to take all necessary steps to respond to the appeal of Pemic Land Corp. to the Ontario Municipal Board in support of Council's position; and,
- c) the Development Approvals Business Unit **BE DIRECTED** to provide land use planning evidence at the Ontario Municipal Board Hearing in support of Council's position.

IV. ITEMS FOR DIRECTION

23. Storm Sewer to Accommodate Intensification on Richmond Street

Recommendation: That, on the recommendation of the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to the rehabilitation and expansion of the existing storm sewer on Richmond Street from near Hillside Drive to the Thames River, North Branch:

- a) a new project, estimated at \$1.5 million, **BE APPROVED** in 2012 in the Growth Management Implementation Strategy, with financing as identified in the attached Appendix 'A'; and,
- b) the project **BE REFERRED** to the 2012 Budget Process;

it being noted that the proposed timing for construction is also 2012 in coordination with infill development;

it being further noted that the Planning and Environment Committee reviewed and received the attached communication, dated December 12, 2011, from J. Kennedy, President, London Development, with respect to this matter.

24. London Health Sciences Centre - South Street Campus Decommissioning

Recommendation: That, notwithstanding the recommendation of the City Solicitor's office, the report relating to the London Health Sciences Centre South Street Campus lands **BE REFERRED** to the Civic Administration for a presentation by Mr. A. Avis, Allan Avis Architects Inc., at a public participation meeting to be held on January 16, 2012.

25. Barry Molloy - 7 Holiday Avenue

Recommendation: That the Planning and Environment Committee (PEC) reviewed and received a communication from L. Kirkness, Kirkness Consulting with respect to Barry Molloy - 7 Holiday Avenue. The PEC asked the Civic Administration to report back on this matter at the February 6, 2012 PEC meeting.

26. Downtown Tax Exemption Program - 431 Richmond Street

Recommendation: That the Civic Administration **BE DIRECTED** to allow a retroactive grant application for the Downtown Tax Exemption Program relating to the property located at 431 Richmond Street; it being noted that the Planning and Environment Committee heard a verbal presentation and reviewed and received a communication, dated December 2, 2011, from M. Doornbosch, Zelinka Priamo Ltd., with respect this matter.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

27. Recommendation: That Councillor S. White **BE ELECTED** as Vice Chair of the Planning and Environment Committee for the term ending November 30, 2012.

VI. ADJOURNMENT

The meeting adjourned at 12:10 a.m.