

**2ND REPORT OF THE**  
**PLANNING AND ENVIRONMENT COMMITTEE**

Meeting held on January 21, 2014, commencing at 4:00 PM, in the Council Chambers, Second Floor, London City Hall.

**PRESENT:** Councillor J.L. Baechler (Chair) and Councillors D.G. Henderson, P. Hubert, B. Polhill and S.E. White and H. Lysynski (Secretary).

**ALSO PRESENT:** Councillors W.J. Armstrong, D. Brown and M. Brown and J.P. Barber, M. Corby, M. Davis, M. Elmadhoon, J.M. Fleming, T. Grawey, N. Hall, B. Henry, P. Kokkoros, G. Kotsifas, B. Krichker, I. Listar, D. Menard, N. Musicco, M. Ribera, C. Saunders, M. Tomazincic, A.B. Watson and J. Yanchula.

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**I. CALL TO ORDER**

1. That it BE NOTED that Councillor S. White disclosed a pecuniary interest in part c) of clause 12 of the 1st Report of the London Advisory Committee on Heritage, having to do with the application by The Tricar Group, relating to the property located at 1030 Coronation Drive, by indicating that she owns property in the area.

**II. CONSENT ITEMS**

2. 1st Report of the Environmental and Ecological Planning Advisory Committee

Recommendation: That the 1st Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on December 19, 2013 BE RECEIVED.

Motion Passed

YEAS: B. Polhill, P. Hubert, S.E. White, J.L. Baechler (4)

3. Million Tree Challenge Status Update

Recommendation: That the following actions be taken with respect to the Million Tree Challenge:

- a) the Civic Administration BE DIRECTED to report back at the next Planning and Environment Committee meeting with respect to initiatives that the City and the public could undertake to ensure that more trees are planted to make the Million Tree Challenge more successful; and,
- b) J. Keron BE THANKED for his endeavors relating to this initiative. (2014-E04)

Motion Passed

YEAS: B. Polhill, P. Hubert, S.E. White, J.L. Baechler (4)

4. Properties located at 1776-1896 Sumac Way (HZ-7745)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to the properties located at 1776 to 1896 Sumac Way, the proposed by-law, as appended to the staff report dated January 21, 2014, BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a holding Residential R1 (h•R1-5 and h•h-82•R1-5) Zone TO a Residential R1 (R1-5) Zone, to remove the holding provisions. (2014-D14B)

Motion Passed

YEAS: B. Polhill, P. Hubert, S.E. White, J.L. Baechler (4)

5. Building Division Monthly Report for November 2013

Recommendation: That the Building Division Monthly Report for November, 2013 BE RECEIVED. (2014-D00)

Motion Passed

YEAS: B. Polhill, P. Hubert, S.E. White, J.L. Baechler (4)

### III. SCHEDULED ITEMS

6. 1st and 2nd Reports of the London Advisory Committee on Heritage

Recommendation: That, the following actions be taken with respect to the 1st and 2nd Reports of the London Advisory Committee on Heritage (LACH) from the meetings held on December 11, 2013 and January 8, 2014, respectively:

- a) the Civic Administration BE REQUESTED to initiate the assessment process to identify the Meadowlily Woods area as a cultural heritage landscape by assisting in the preparation of a cultural heritage evaluation study, including a conservation plan; it being noted that research assistance, with respect to the study, will be provided by the LACH Stewardship Sub-Committee and the Friends of Meadowlily Woods; it being further noted that the LACH heard from J. Lutman, on behalf of the Stewardship Sub-Committee, with respect to this matter;
- b) the Civic Administration BE REQUESTED to review the enforcement of the City's encroachment by-laws and the sale of sections of natural areas to adjacent homeowners; it being noted that the LACH heard a verbal report from J. Cushing, on behalf of the Natural Heritage Sub-Committee;
- c) the following actions be taken with respect to the Heritage Alteration Application from Farhi Holdings requesting permission for a new building on the designated heritage property located at 754 and 764 Waterloo Street (350 Oxford Street East):
  - i) the report dated December 11, 2013, from the Managing Director, Land Use Planning and City Planner, BE RECEIVED; and,
  - ii) the following comments from the LACH, with respect to the above-noted matter, BE FORWARDED to the Site Plan Approval Authority for consideration:
    - A) the signage be redesigned to be more in keeping with a heritage conservation district;
    - B) the height and design of the southwest corner feature be revisited to be more in keeping with the heritage conservation district;
    - C) a meeting be arranged between the community, the developer and City staff to review outstanding issues, including the above-noted southwest corner design; and,
    - D) where possible, pictures of historic buildings no longer in the community be used on the façade;

it being noted that the LACH reviewed and received communications dated December 3 and 4, 2013, from T. Kane-Callender and M. Loft, respectively, and heard a verbal delegation from M. Doornbosch, Zelinka Priamo Ltd., representing Farhi Holdings, and L. Croftman, representing the St. George Public School Association and the Bishop Hellmuth Community Association, with respect to this matter;

- d) the Chief Technology Officer BE REQUESTED to consider negotiating additional storage for future archiving projects, as a part of the Request for Proposal 13-14, Storage Area Network, Back-up and Recovery Renewal;

- e) the report dated January 8, 2014, from the Managing Director, Planning and City Planner, with respect to the Heritage Alteration Application from Anago (Non) Residential Resources Inc. for the property located at 371 Princess Avenue, BE DEFERRED to a future meeting of the London Advisory Committee on Heritage, to allow the applicant to attend and present further information on the details for the design of the front chimney replacement;
- f) notice of the Municipal Council's intention to designate the property located at 142 Dundas Street (A. Chilsholm and Co. building) to be of cultural heritage value or interest BE GIVEN, for the attached reasons, under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O.18*; it being noted that the owners of the subject property have concurred with this recommendation, with the understanding that the land to be included in the designation will be as shown on the assessment roll;
- g) that clauses 5 to 14, inclusive, of the 1st Report of the LACH BE RECEIVED; and,
- h) that clauses 3 to 11, inclusive, of the 2nd Report of the LACH BE RECEIVED;

it being pointed out that the Planning and Environment Committee heard a verbal presentation from W. Kinghorn, Chair, LACH, with respect to these matters.

Motion Passed

YEAS: B. Polhill, P. Hubert, S.E. White, J.L. Baechler (4)

7. Property located at 1221 Dundas Street (Z-8277)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Farson Holdings Inc., relating to the property located at 1221 Dundas Street, the proposed by-law, as appended to the staff report dated January 21, 2014, BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM an Arterial Commercial (AC2/AC5) Zone TO an Arterial Commercial Special Provision (AC2/AC5( )) Zone, to permit 'retail store' subject to a special provision to permit a minimum of 22 parking spaces whereas 26 are required by-law;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

Motion to open the public participation meeting.

Motion Passed

YEAS: B. Polhill, P. Hubert, S.E. White, J.L. Baechler (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: B. Polhill, P. Hubert, S.E. White, J.L. Baechler (4)

## 8. Property located at 797 York Street (Z-8208)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of the City of London, relating to the property located at 797 York Street, the proposed attached, revised by-law BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014, to repeal By-law Z.-1-132241, being "a by-law to amend By-law No. Z.-1 to rezone an area of land located at 797 York Street" and 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 Special Provision (CSA1) Zone TO a Community Shopping Area Special Provision (CSA1(\_\_\_\_)) Zone, to permit commercial/private schools and offices with an individual maximum gross floor area of 2,000m<sup>2</sup> (21,527.8 sq. ft.);

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

## 9. Property located at 193 Clarke Road (Z-8143)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Southside Group, relating to the property located at 193 Clarke Road:

- a) the proposed attached, revised by-law BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R1 (R1-7) Zone, which permits single detached dwellings TO a Holding Residential R7 Special Provision (h-5•R7(\_\_\_\_)•H9•D45) Zone, with a maximum height of 9 metres (one storey) and a maximum density of 45 units per hectare; and,
- b) the Site Plan Approval Authority BE REQUESTED to implement the design and landscape features illustrated in general conformity with the conceptual plans, as appended as Appendix "B" to the staff report dated January 21, 2014, through the Site Plan Approval process, and consider the following:
  - bicycle parking be included on the site;
  - a Tree Preservation and Protection Plan be submitted with the site plan application;
  - pedestrian walkway from Clarke Road to the proposed building be lined with continuous landscaping to help screen the walkway from the adjacent property to the north;
  - shift the building to the west to provide a more welcoming feature at the front of the building and some outdoor amenity space adjacent to the Programme/Common space;
  - eliminate parallel parking spaces on the north side of the entrance drive;

- further develop the landscape design of the outdoor amenity space at the back of the building;
- include deciduous trees along the south property line to screen the building rooflines from neighbours; and,
- use landscaping to demarcate private patio space;

it being noted that the Planning and Environment Committee reviewed and received the attached communication from M. Groshok, 1805 Royal Crescent, with respect to this matter;

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

- Debbie Newman, 1801 Royal Crescent – indicating that, in the photographs that she provided, the first photograph is the homes surrounding 193 Clarke Road; noting that this shows the smaller entrance; advising that the homes on Sudbury Avenue, to the south of the proposed development, would have the building filling the entire area; showing a photograph with an arrow pointing where the parking would be, with a small area where the access would join Clarke Road; displaying a photograph where the building would take up an entire backyard view; displaying an aerial photograph of the area homes to show the difference between the size of the area home lots and the proposed development lot; indicating that there is a school and a church in the area with green space around them; noting that there will be no green space on the proposed development lot; advising that it takes up the look of everything around it; advising that her objections relating to the proposed zoning have been voiced at the community meeting; noting that they are shared objections, not just her sole opinions; indicating that they are all fearful of the consequences to their community should the zoning change be approved; indicating that, if nothing else, the sheer size of this project simply does not fit into this space; indicating that it is not a residential project from their view; expressing concern with the traffic access in and out on Clarke Road; expressing concern with the parking allotment and what they understand falls in the guidelines; advising that there are more units than parking spaces, which indicates to them that their peaceful surrounding side streets are going to turn into a parking lot for the overflow of visitors to “It’s Our Home”; expressing great concern with the water situation in the area; indicating that they, personally, have had to put a catch basin in their backyard to accommodate the water run off as it just does not filter through the ground fast enough; noting that it is a clay base and there is a lot of water that sits back there; advising that some of their neighbours experience flooding issues; advising that they have not seen a drainage plan and are curious to see where the water will go; reiterating that the ground is clay and the water will not soak through the clay; reiterating that all of the neighbours are afraid that the water is going to run onto their property killing their gardens and plants and contaminating their water; expressing concern that “It’s Our Home” has not received its funding or been incorporated or its not-for-profit status; indicating that these issues raise alarm bells for the area residents because they are unsure what would happen if the zoning was amended without confirmation as to what is being going in the space; indicating that they have owned their property for eight years; advising that they would not have purchased their home if this building had been there at the time; indicating that the property value of all of the houses in their neighbourhood is going to suffer with this oversized building looking over their backyards; noting that she is referring to 12 backyards, not just one or two; advising that she understands that the guidelines for infill read “that the applicant must clearly demonstrate that the proposed project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood; indicating that she does not find any of this to be true and that is where they have to depend on the Councillors; enquiring as to whether or not it would be more suitable for “It’s Our Home” to begin by designing a home that is similar in nature to any other that exist in their neighbourhood; advising that they addressed the same issue last year; indicating that the vote was 11-2 against the zoning change; advising that the comments made by the Municipal Council at that time were that there should be a

differently designed building to fit into this uniquely shaped lot; that the building is too large with too many units; that the building looks too industrial; that there are drainage issues that need to be addressed; and, that this is not a building that they would want in their backyard; advising that, other than a change to the roofline, she does not see where this situation has changed; advising that, as taxpayers, they are now asking the Municipal Council to support them and to address their concerns relating to the nature of the proposed building; clarifying that people have said that they use this space as a backyard and there are no neighbours that use this space as a backyard; indicating that it is a free area as they all have fenced in backyards and everyone keeps within their yards; indicating that it is not a case of wanting to keep this space empty, they would just like to see the space filled with something that is appropriate to go with the rest of their neighbourhood; and, indicating that she cannot stress enough that this, in no way, has to do with a lack of support for “It’s Our Home”; reiterating that it has everything to do with the size of the project; advising that they would happily welcome “It’s Our Home” into their neighbourhood if they could provide a suitable building that fits in with their established community. (see attached photographs).

- Lynn Johnston, 1797 Royal Crescent – see attached presentation.
- G. Playford, Consultant, “It’s Our Home” and Agent for the applicant – indicating that there has been screening that is shown in the renderings and will be incorporated in the site plan stage; advising that the group is not incorporated; and, indicating that, should the zoning proceed, they will be incorporating and looking for funding under the forthcoming affordable housing. (2013-D14A)

Voting Record:

Motion Passed

YEAS: P. Hubert, S.E. White, J.L. Baechler, B. Polhill (4)

NAYS: D.G. Henderson (1)

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

YEAS: B. Polhill, P. Hubert, S.E. White, J.L. Baechler (4)

10. Property located at 122 Wortley Road (Z-8183)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Brian Baillargeon & Peter Jones, relating to the property located at 122 Wortley Road:

- a) the revised, proposed by-law, as appended to the Planning and Environment Committee Added Agenda dated January 21, 2013, BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R2 (R2-2) Zone, which permits single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings TO a Holding Residential R8 Special Provision (h-18•R8-4(\_)) Zone; and

- b) the Site Plan Approval Authority BE REQUESTED to implement the following design issues through the site plan process:
- i) the relocation of the accessible parking space, currently located in front of the building, to improve the pedestrian environment;
  - ii) the inclusion of an urban or hardscaped forecourt between Wortley Road and the principal building entrance to improve the pedestrian experience along Wortley Road, with a defined edge that is parallel with Wortley Road and reinforces the building's offset principal entrance;
  - iii) the provision of a continuous concrete pedestrian walkway and landscaped connection along the southern building edge, linking the City sidewalk and the southern/front amenity space, to improve pedestrian access to the northern/rear amenity space and provide a convenient connection to the City sidewalk from the proposed rear doors;
  - iv) the use of a stone base on the apartment building that will be complementary to the existing streetscape;
  - v) the inclusion of outdoor rear-yard amenity space north of the apartment building to ensure future residents have an area to enjoy the park like setting, particularly in the rear of the property;
  - vi) the breaking up of the massing of the north facade of the apartment building to reduce the visual bulk seen from Thames Park. This can be achieved by providing additional windows along the first storey. Consider the continuation of the base treatment around to the north elevation to further break up the massing;
  - vii) the provision of landscaping along the rear boundary of the site to provide a transition to the adjacent public park space;
  - viii) the development and submission of a fully detailed landscape plan that reflects the level of detail in the building and the historical context of the neighbourhood; and,
  - ix) a revised tree preservation plan and/or a replanting plan, acceptable to the City, for trees that have shared ownership between the applicant and the City, to ensure the continued presence of trees which positively contribute to the streetscape, environment, tree canopy cover and slope stabilization;

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

- a communication from B. Leigh, 237 Briscoe Street East; and,
- the attached communication dated January 20, 2014, from D. & C. Weir, 106 Wortley Road;

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

- Michelle, Doornbosch, Zelinka Priamo Ltd., on behalf of the owner and developer of the property – advising that this is a seven unit development that is proposed for a very unique parcel for this area; indicating that it was originally two separate parcels that have consolidated into one and have created a large, irregular shape that you do not find anywhere else in the area; noting that this site is not characteristic of the existing lot fabric and is the basis for the application that is before the Committee; indicating that the density that is permitted under the Low Density Residential Intensification Policies in the Official Plan does allow for a maximum density of up to 75 units per hectare; indicating that, in respecting the area, this development proposes well below the maximum allowed, at 50 units per hectare; noting that it does not reach the maximum for what is intended for residential intensification; advising that they do feel that this development is appropriate for the area given the scale of the building and the intensity that is proposed; indicating that the development itself follows the south property line; noting that they have kept the building as far south as possible, away from the properties to the north; indicating that the irregular shape of the parcel does limit how development on the property can be accommodated; indicating that a Tree Preservation Plan was prepared for this property; advising that there are 13 trees being removed; noting that, of the 13 trees, eight are ash

trees and are required to be removed regardless of the development; advising that, as part of this development, there will be many more trees planted; advising that there is a significant amount of landscaping proposed in the rear and front yards of this development that will balance out the loss of the five trees; indicating that a Slope Assessment was provided to staff; noting that the Upper Thames River Conservation Authority (UTRCA) approved the Assessment; indicating that before the development proceeds, they have to go through the permit process as outlined by the UTRCA; noting that the UTRCA does have to review this development; reiterating that they are below the maximum lot coverage for this property and they are providing well above the requirement for the landscaped open space; advising that they do not believe, for the reasons stated, that this is an over-intensification of the property; advising that it is appropriate for the size of the parcel; indicating that there has been some debate relating to the building design; noting that the application has been reviewed by staff and the Urban Design Peer Review Panel and has been brought forward by the owner/designer who will be living in one of the units; noting that this is for their own use as well and is a design that they are very happy with; pointing out that Wortley Village has a very eclectic design, with pitched roofs and flat roofs; noting that there is a new development directly south of this property on the main street, being a commercial corridor; further noting that it is similar to this design with the flat roof; and, advising that a significant number of heritage characteristics have been built into the design.

- Gary Smith, 141 Meadowlily Road South – indicating that the issue here is the same issue that they have been dealing with in the Meadowlily area; advising that, in 2007, he saw a planning report similar to this one and they contested the issue. (see attached presentation).
- Laurie Miller, 120 Wortley Road – expressing appreciation to the people that have assisted her in understanding the process; indicating that she provided comments to the Planner in June, 2013, and her comments are included in the Planners' report; advising that she did not expect a three storey building that does not fit with what the people in Wortley Village have, in terms of their sense of identity, what they believe fits into their sense of neighbourhood and compatibility and the reason why they moved to Wortley Village; advising that she pictured a row of two storey condominiums with appropriate balconies, gardens and small laneways; indicating that this is not a “not in my backyard” syndrome, it is a matter of taste; indicating that she supports development in Old South; indicating that she does believe that this particular design fits in Wortley Village, the Coolest Neighbourhood in Canada, with a historical designation; advising that she does not think that, when you have a clean slate, a huge lot, a beautiful view, a beautiful village, historical designation criteria, infill intensification criteria that this is the design that would work following all of those criteria; advising that she thinks that it is time to go back just a bit and relook at how we can configure or tweak this design so that it fits or complements the houses in the area; indicating that people choose to invest in Wortley Village for a specific reason, they choose to stay there, they choose to maintain their homes and put a lot of money into it; believing that we need to be very cognizant of every step that we take when we change what is Wortley Village.
- Marzena Gorska, 63 Askin Street – advising that her house was built in the 1800's, advising that it is a cottage style heritage home; indicating that she is not opposed to the zoning; advising that she is opposed to the architecture and the Wortley feel; indicating that it resembles a boxy, school like building; advising that it is a really nice design, but it does not fit the area; indicating that she was born and raised in Europe and when she moved to Canada, she was homesick for Europe and found Wortley Village, which is eclectic, has a heritage style to it, the homes have an old feel to them, people are out on the street and everyone is mingling; reiterating that having a boxy type of building does not fit the Wortley feel; and, indicating that, if you were to look into the future 10 years, and the Council kept approving these boxy type buildings, it will change the feel of the area.
- Gary Brown, 35A-59 Ridout Street – indicating that, when good design elements and infill projects are being met, people need to stand up and say so; advising that Option 2 is filling in more green fill on the corners of our city and we cannot afford to continue with that; indicating that there

are beautiful houses on this block; noting that there are also two Brampton style garage houses and a derelict home on this block; noting that he is just talking about the one side of the street; enquiring as to what the overall design guideline is for this block; advising that around the corner are three ugly three storey walk-ups, which are in their community; advising that this development is proposed by two very upstanding, very respected gentlemen, who are members of the community; indicating that they have done some other conversions that look really good; indicating that, as a pedestrian walking down the street, he pictures a low wrought iron fence, which to him, is a human scale interaction with this building, there is a front courtyard and the parking is all inside, which he is happy to see, instead of paved over areas of green space; indicating that the side of the yard that the driveway is on is set back further from the street which will allow people coming in and out of their driveways a much better view of pedestrians and cyclists that use the street regularly; hoping that there will not be much impact on traffic as this is a walkable neighbourhood; indicating that the people that move into this area are looking to walk and cycle to the Downtown or their workplace and also to be able to walk to shop, as opposed to driving everywhere; noting that they attract a different type of people to their neighbourhood; advising that the design is what it is; indicating that there does need to be infill in this neighbourhood; and, indicating that there is not enough affordable housing in developments.

- Craig Linton, 1 McKenzie Avenue – expressing support for this application; and, indicating that we do need more infill and intensification projects like this.
- Jake Hansen, 114 Wortley Road – agreeing with Mr. Lintons' comments; indicating that he believes that the building would be built in a tasteful manner; and, advising that there is a need for infill in Wortley Village. (2013-D14A)

Voting Record:

Motion Passed

YEAS: B. Polhill, P. Hubert, S.E. White, J.L. Baechler (4)

NAYS: D.G. Henderson (1)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

11. Properties located at 1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649 and 1653 Richmond Street (OZ-7965)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London, relating to the properties located on the west side of Richmond Street between Hillview Boulevard and Shavian Boulevard including 1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649 and 1653 Richmond Street:

- a) the proposed by-law, as appended to the staff report dated January 21, 2014, BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014, 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 proposed by-law, as appended to the staff report dated January 21, 2014, BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014 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 Richmond Street-Old Masonville Master Plan and Urban Design Guidelines, as appended as Appendix "C" to the staff report dated January 21, 2014, BE ADOPTED at the Municipal Council meeting to be held on January 28, 2014;
- d) pursuant to Section 19.2.2 of the Official Plan, the proposed by-law, as appended to the staff report dated January 21, 2014, BE INTRODUCED at the Municipal Council meeting on January 28, 2014, 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 proposed by-law, as appended to the staff report dated January 21, 2014, BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014, to amend Zoning By-law Z.-1, (in conformity with the Official Plan, as amended in clause a), above), to change the zoning of the properties located at 1607, 1609 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 setback (3m), minimum rear yard setback (7.5m) and restrictions on the location of parking areas 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-5•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 which will require a public site plan review, ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and ensure 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 proposed by-law, as appended to the staff report dated January 21, 2014, BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014 to amend Zoning By-law Z.-1 in conformity with the Official Plan, as amended in clause (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-5•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 which will

require a public site plan review, ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and ensure 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;

- g) the proposed by-law, as appended to the staff report dated January 21, 2014, BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014, 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 Holding Residential R9 Special Provision/Convenience Commercial Special Provision (h-5•h-(\*))•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 to permit 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 (200.0m<sup>2</sup>) and no additional parking requirements for commercial uses subject to holding provisions which will require a public site plan review and ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*;
- h) the proposed by-law, as appended to the staff report dated January 21, 2014, BE INTRODUCED at the Municipal Council meeting to be held on January 28, 2014, 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-5•h-(\*))•h-55•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 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 holding provisions which will require a public site plan review, ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and 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) the Site Plan Approval Authority BE REQUESTED to consider, through the site plan approval process, that development of the properties located at 1631, 1635 and 1639 Richmond Street be consistent with the Site Plan and Elevation Drawings, as appended as Appendix "I" to the staff report dated January 21, 2014;

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

- a communication dated January 6, 2014, from B. McCall, Middlesex-London Health Unit;
- a communication dated January 14, 2013, from B. Davis, President, Old Masonville Ratepayers' Association;
- a communication dated January 16, 2014, from F. Metwaly, 1631, 1635 and 1639 Richmond Street; and,
- a communication dated January 16, 2014, from A.N. Circelli, Circelli Law;

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

- Laverne Kirkness, Kirkness Planning Consultants, on behalf of Dr. R. Lubell and Dr. P. Debellis – advising that his clients are located at 101 Fanshawe Park Road, in the “L” shaped plaza; indicating that his clients have 2,000 square feet of space and are overcrowded; indicating that they have purchased the property located at 1653 Richmond Street, which is the most northerly of the thirteen properties that are part of this site; noting that this property is located on the corner of Hillview Boulevard and Richmond Street, in the southwest corner of the intersection; indicating that the property currently has a large, single-family bungalow on it; indicating that his clients purchased this property with the intent of building a medical/dental office on it of approximately 4,000 square feet; advising that his clients have been following the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and have been trying to follow and work in the same direction as it is; advising that they have a new architect and, in the last ten days, they are really following the Guidelines; showing the design the new architect is proposing; indicating that they have applications for an Official Plan, to change this site, to multi-family, medium density residential, the same as what the Civic Administration is proposing and what the Master Plan is recommending; reiterating that they have an application in before the City to rezone the lands to permit an apartment/office building to contain the medical/dental office; advising that those applications and the supporting material, the Planning Justification report and the Urban Design Guidelines, were put in around December 30 so that they could save \$4,500 on application fees; [*Secretary's Note: Mr. Kirkness was interrupted as the Committee is not dealing with these applications*]; advising that they are here to support, in general, what the Civic Administration is recommending, with some qualification; indicating that the Committee needs to know his background in order to understand why they are seeking the qualification to it; reiterating that the applications are before the City; noting that the staff has hardly had a chance to look at them, but they have been declared complete; advising that the Civic Administration has asked for two more things; noting that they have changed architects and brought a new design to the table that is very new, but you should know about it as part and parcel of what the Committee is approving because the plan you are approving is one of the most imposing and prescriptive plans that you have ever seen come out of this City Planning Division; indicating that it is not very business friendly because it is not very flexible; indicating that he is here to ask for some flexibility; recognizing that the staff have worked on this for a long time and it is generally going in the right direction from all that Planners and planning know about in how to plan cities; indicating that there is no question about that and that is why they are here to generally support it; reiterating that they are asking for more flexibility; showing the most recent design; indicating that, if you look at the top portion of the slide, Hillview Boulevard runs across the north and Richmond Street down the left, the building they have is put at the front of the site; noting that this respects Urban Design principles and the Master Plan Urban Design Guidelines; indicating that the parking is in the rear and there are two accesses to Hillview Boulevard; noting that there is no access to Richmond Street; indicating that there is another, almost five metre dedication, of road being taken from the front of this property as well; indicating that there is also underground parking; explaining that, in the

rendered elevations, the one on the left is from the intersection and you can see that the front doors are at the front of the building; noting that you can see the variation in the façade and the texture; *[Secretary's Note: Mr. Kirkness was interrupted as the Committee is not dealing with these applications]*; indicating that the last feature is that it is also expandable to the south; indicating that what they are asking for, to offset some of that inflexibility, is to ask the Committee to change the Official Plan, just tweak it a little bit; noting that they are not requesting changes to the zoning, as they will pay attention to those details when their application comes forth in two or three months; advising that they have a lot of work to do in terms of appearing before the Urban Design Peer Review Panel, which they hope to do on February 19, 2014; hoping to have their open information session a week later with the community residents; reiterating that the zoning can be left; indicating that, in terms of the flexibility of the policy framework, they are asking the Committee to ask the Staff to introduce the notions of permitting greater flexibility on land use at the corner of Hillview and Richmond, (1653 Richmond Street), specifically medical/dental on the ground floor, if you want to confine it to that, which is sufficient for the client; advising that, what this does, is recognize that this corner property is, by far, the most impacted of all of the 13 properties; noting that you have high intense commercial to the north with TD Canada Trust, a number of restaurants, a gas bar, the major shopping centre to the east; indicating that this property is trying to work with that and at the same time be sensitive to the future multi-family residential to the south and the existing, very stable, residential to the west; enquiring as to what better could you have than a medical office that is a ground floor transitional use in that location on that intersection, with apartments above; advising that they have shown, in their planning, that they can expand the underground parking, they can expand this building to the south and you do not need to, in the name of comprehensive development, have 70m lot sizes; in other words, somebody has to acquire all three properties northerly (three properties) in order to develop them; indicating that they have shown the Committee how they can develop 20m of the 70m in a comprehensive fashion and be able to expand it to the south with development that is similar, or at least, complimentary; reiterating that those two points are all that they are asking for; advising that he can work with staff between now and the Municipal Council meeting to introduce that into the policy framework if you would direct that to happen; noting that otherwise they are faced with having to be against this until their application comes forth so that they are then seeking modifications to it; indicating that they do not think that this change is huge nor requires any future public notice; advising that it is tweaking the policy framework that the staff has brought in front of you; advising that it is recognizing that the corner and the transitional nature of that 1653 Richmond Street site; advising that that is what these doctors would really appreciate, that are long established in the area and serving in the area and want to remain in the area, but in a better facility to offer their patients. (see attached presentation).

- Clint Wilson, 45 Cherokee Road – indicating that his property is directly behind the proposed tweaking; advising that there are a lot of mature trees on the property that would be directly affected by the proposed decrease in setback; and, advising that he is in favour of the proposal to increase the setback to 15m.
- Bill Davis, President, Old Masonville Ratepayers' Association – indicating that some of the key principles from 2004 was the 70m of frontage that would enable it to be developed in four parcels; noting that what is in front of the Committee today is a slightly different zoning for those four parcels; indicating that 7.5m is what they had agreed to in 2004; noting that it has now gone up to 15m; advising that when they agreed to the 7.5m, they did not realize that all of the mature trees would have to come out; noting that the 15m allows all of the mature trees to remain, which is important to them; expressing sympathy to someone buying this property and not being aware of the zoning; however, it is what it is; and, encouraging the Committee to approve what is before it tonight and if another rezoning application comes forward in two months they will deal with that at the time. (2014-D14A)

## Voting Record:

## Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

Motion to open the public participation meeting.

## Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

Motion to close the public participation meeting.

## Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

**IV. ITEMS FOR DIRECTION**

## 12. 1st and 2nd Reports of the Advisory Committee on the Environment

Recommendation: That, the following actions be taken with respect to 1st and 2nd Reports of the Advisory Committee on the Environment (ACE), from its meetings held on December 11, 2013 and January 8, 2014, respectively:

- a) the Civic Administration BE REQUESTED to review the presentation from M. Piggott, Member Services Coordinator, Waterloo Community CarShare, with respect to a proposal to introduce an environmentally friendly CarShare Program in London;
- b) clauses 2 to 10, inclusive, of 1st Report of the ACE BE RECEIVED; and,
- g) clauses 1 to 5, inclusive, of the 2nd Report of the ACE BE RECEIVED.

## Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

## 13. 1st Report of the Agricultural Advisory Committee

Recommendation: That, the following actions be taken with respect to the 1st Report of the Agricultural Advisory Committee (AAC) from its meeting held on December 18, 2013:

- a) the City of London, Dillon Consulting and the Ontario Ministry of Transportation BE ADVISED that the Agricultural Advisory Committee's (AAC) preferred alternate route for agriculture includes maintaining and improving the 401 overpass on Glanworth Road; it being noted that the AAC heard a verbal delegation and received a communication on the Public Information Centre 2 held on November 13, 2013, from K. Grabowski, Transportation Design Engineer, with respect to the highway 401 and 4 (Colonel Talbot Road) interchange improvements preliminary design, initial detailed design and Class Environmental Assessment; and,
- b) clauses 2 to 7, inclusive, of the 1st Report of the AAC BE RECEIVED.

## Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

## 14. Trees on Private Property

Recommendation: That the communication, dated December 13, 2013, from Councillor D. Brown, with respect to trees on private property BE REFERRED to the Civic Administration for review and to report back to a future meeting of the Planning and Environment Committee. (2013-E04)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

15. Infill

Recommendation: That, the following actions be taken with respect to Civic Administration's procedures relating to infill:

- a) the Civic Administration BE REQUESTED to mitigate the public's concerns by engaging area residents earlier in the process;
- b) the Civic Administration BE REQUESTED to enhance the process; it being noted that the approach taken for greenfield initiatives and the approach taken for infill development should be different; and,
- c) the Civic Administration BE REQUESTED to include a business case as part of 2014 Budget deliberations, with respect to this matter.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, J.L. Baechler (5)

**VI. CONFIDENTIAL**

*(Confidential Appendix to the 2nd Report of the Planning and Environment Committee enclosed for members only.)*

The Planning and Environment Committee convened in camera from 7:10 PM to 7:25 PM, after having passed a motion to do so, with respect to the following matter:

- C-1 A matter pertaining to litigation with respect to appeals to the Ontario Municipal Board by York Developments Inc., 1279059 Ontario Inc., CLF 1 (Wonderland Road) Inc., 1699259 Ontario Inc., E. and E. McLaughlin, and Lloyd Courtney, also known as the "York Developments Appeals", relating to By-law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541, the Southwest Area Secondary Plan; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with appeals to the Ontario Municipal Board by York Developments Inc., 1279059 Ontario Inc., CLF 1 (Wonderland Road) Inc., 1699259 Ontario Inc., E. and E. McLaughlin, and Lloyd Courtney, also known as the "York Developments Appeals", relating to By-law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541, the Southwest Area Secondary Plan.

**VII. ADJOURNMENT**

The meeting adjourned at 7:26 PM.