

11TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on June 3, 2014, commencing at 4:02 PM, in the Council Chambers, Second Floor, London City Hall.

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

ABSENT: Councillor S.E. White.

ALSO PRESENT: Councillor B. Armstrong and G. Barrett, G. Belch, C. Colvin, M. Davis, A. Dunbar, J.M. Fleming, T. Grawey, B. Henry, P. Kokkoros, G. Kotsifas, I. Listar, J. Lucas, A. Macpherson, T. MacBeth, J. MacKay, A. MacLean, R. Postma, C. Saunders, M. Tomazincic and B. Turcotte.

I. CALL TO ORDER

1. That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

2. Properties located at 2155 and 2253 Richmond Street (39T-04513)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request for extension and revisions to the Draft Plan of Subdivision application of Auburn Developments Inc., for the property located at 2155 and 2253 Richmond Street:

- a) the Approval Authority BE ADVISED that the Municipal Council supports the proposed revisions to the draft plan and the request for a three (3) year extension of the draft plan of subdivision approval for the draft plan submitted by Auburn Developments Inc.(File 39T-04513), prepared by Stantec Consulting Inc., certified by Jeremy C. E. Matthews O.L.S., (File No. 39T-04513), drawing no. DP- 110126dwg, as redline amended, which shows a total of 138 single detached lots, one (1) single detached block, six (6) multi-family medium density residential blocks, two (2) multi-family high density residential blocks, one (1) commercial block, two (2) park blocks, three (3) open space blocks, three (3) stormwater management blocks, a road widening block and several reserve blocks, served by nine (9) new streets, SUBJECT TO the revised conditions appended to the staff report dated June 3, 2014, as Appendix "39T-04513"; and,
- b) the financing for this project BE APPROVED in accordance with the "Related Estimated Costs and Revenues" as appended to the staff report dated June 3, 2014, as Appendix "A". (2014-D12)

Motion Passed

YEAS: J.F. Fontana, B. Polhill, P. Hubert, J.L. Baechler (4)

3. Victoria on the River Subdivision (39T-09502)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Sifton Properties Limited, for the subdivisions of land over Part of Lots 8 and 9, Broken Front Concession B, and Part of Lots 8 and 9, Concession 1 and Part of The Road Allowance between Concession 1 and Broken Front Concession "B" (Geographic Township of Westminster), City of London, County of Middlesex, situated on the north side of Commissioners Road East, west of Hamilton Road, municipally known as 1603 Hamilton Road:

- a) the Special Provisions, as appended as Schedule "D" to the staff report dated June 3, 2014, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited, for the Victoria on the River Subdivision (39T-09502), BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" appended as Schedule "B" to the staff report dated June 3, 2014;
- c) the financing for this project BE APPROVED in accordance with the "Sources of Financing Report" appended as Schedule "A" to the staff report dated June 3, 2014; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2014-D12)

Motion Passed

YEAS: J.F. Fontana, B. Polhill, P. Hubert, J.L. Baechler (4)

III. SCHEDULED ITEMS

- 4. Properties located at 218 Burnside Drive and 220-222 Burnside Drive (Z-8299)

Recommendation: That the following actions be taken with respect to the application by Insites Consulting, on behalf of Ethan Gagie and John Sheardon, for the properties known as 218 Burnside Drive and 220-222 Burnside Drive:

- a) the above-noted application to rezone the subject properties FROM a Residential R2 (R2-2) Zone TO a Residential R2 Special Provisions (R2-2 (_) Zone, to permit single detached, semi-detached, duplex, and converted dwellings (maximum of 3 dwelling units), and to permit front yard parking in a parking configuration where each spot may not be independently accessible, BE APPROVED;
- b) the Civic Administration BE DIRECTED to bring forward to a future meeting of the Planning Environment Committee meeting, a proposed by-law to implement a), above; and,
- c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the proposed by-law will reflect the provisions as set out in the Notice of Application and Notice of Public Meeting;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions in connection therewith. (2014-D14)

Voting Record:

Motion to refer the application back to the Civic Administration to approve the application.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, J.L. Baechler (4)

NAYS: P. Hubert (1)

Motion to open the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

Motion to close the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

5. Urban Forest Strategy and Implementation Plan - Keeping the Forest in the Forest City

Recommendation: That, the Urban Forest Strategy and Implementation Plan, recognizing the importance of the urban forest to the quality of life in London BE REFERRED back to the Civic Administration to report back within two months with respect to the following:

- a) incorporating the comments provided at the public participation meeting;
- b) increasing the 20 and 50 year targets;
- c) asking the Province to allow the City of London to debenture the planting of trees;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions in connection therewith. (2014-E04)

Voting Record:

Motion to refer the Urban Forest Strategy and Implementation Plan - Keeping the Forest in the Forest City back to the Civic Administration to report back within two months on a revised strategy reflecting the direction from Committee.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

Motion to open the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

Motion to close the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

6. Industrial Lands Community Improvement Plan and Official Plan Amendment (O-8318)

Recommendation: That, further to the direction of Municipal Council, the following actions be taken with respect to a Community Improvement Plan for Industrial land uses:

- a) the proposed by-law, as appended to the staff report dated June 3, 2014, BE INTRODUCED at the Municipal Council meeting to be held on June 10, 2014, to designate all lands within the City, including lands outside the Urban Growth Boundary, as a community improvement project area for industrial land uses;
- b) the proposed attached revised by-law, BE INTRODUCED at the Municipal Council meeting to be held on June 10, 2014, to adopt the Industrial Lands Community Improvement Plan for the City of London;

- c) the proposed by-law, as appended to the staff report dated June 3, 2014, BE INTRODUCED at the Municipal Council meeting to be held on June 10, 2014, to amend the following sections of Chapter 14 – Community Improvement Policies of the Official Plan:
- i) Section 14.2.2 iii) (d) (Designation of Community Improvement Project Areas) to include all lands within the Urban Growth Boundary as being an eligible industrial area for community improvement;
 - ii) delete Section 14.2.2.iv) (b) Special Study Area;
 - iii) Section 14.2.2.iv) (c) Airport Area by re-numbering to policy 14.2.2.iv) (b)
 - iv) Section 14.2.3.iii) to add phasing consideration for lands deemed by Council to be worthy of consideration to promote environmental, social and community economic development;
 - v) Section 14.3.3 (Industrial) to include the provision of financial incentives, land acquisition, or other programs and policies to encourage industrial development in designated Community Improvement Project Areas; and,
 - vi) Section 14.3.4 (Other Implementation Measures) to include new programs or policies as methods of assisting in the implementation of community improvement;
- d) the Development Charges Grant Program described in the Industrial Lands Community Improvement Plan, as appended as Schedule 2 to the staff report dated June 3, 2014, and the Industrial Development Charges Grant – Incentive Program Guidelines, as appended as Schedule 3 to the staff report dated June 3, 2014, BE APPROVED and the program be implemented effective January 1, 2015; it being noted that a 100% exemption for industrial development charges will remain in place until January 1, 2015 under the Development Charges By-law;
- e) the Industrial Corridor Enhancement Grant Program described in the Industrial Lands Community Improvement Plan, as appended as Schedule 2 to the staff report dated June 3, 2014, and the Industrial Corridor Enhancement Grant Program – Incentive Program Guidelines, as appended as Schedule 4 to the staff report dated June 3, 2014, BE APPROVED and that the program be implemented, effective January 1, 2015, not to exceed \$250,000 per year and BE SUBJECT to 2015 budget approval; and,
- f) the Civic Administration BE DIRECTED to monitor the Industrial Community Improvement Plan programs and report back annually regarding program results; it being noted that the annual monitoring of programs may include, but is not limited to, the number of applicants, the value of projects, the number of jobs created and acres of land developed and redeveloped;

it being pointed out that the Planning and Environment Committee reviewed and received a communication, dated April 30, 2014, from K. McClure, Planner, Ministry of Municipal Affairs and Housing, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the individual indicated on the attached public participation meeting record made an oral submission in connection therewith. (2014-D08/F21)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

Motion to amend Planning and Environment Committee Agenda Page 225 as outlined by the Civic Administration.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

Motion to open the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

Motion to close the public participation meeting.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

IV. ITEMS FOR DIRECTION

7. Property located at 313 Clarke Road (OZ-8300)

Recommendation: That, the application of St. Leonard's Community Services relating to the property located at 313 Clarke Road BE REFUSED for the following reasons:

- a) the application reflects an adverse impact on the subject property;
- b) the intensity of the proposed use, particularly the number of residents and the number of parking spaces required, is not compatible with the neighbourhood;

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

- a communication dated May 6, 2014, from R. Knutson, Knutson Development Consultants Inc.;
- a communication dated May 22, 2014, from A.R. Patton, Patton Cormier & Associates; and,
- a communication dated May 29, 2014, from L. Davis, Clarke/Churchill Resident's Group;

it being also pointed out that the Planning and Environment Committee heard delegations from R. Knutson, Knutson Development Consultants Inc. and L. Davis, Clarke/Churchill Resident's Group, with respect to this matter. (2014-D14)

Voting Record:

Motion to refuse the staff recommendation because the application reflects an adverse impact on the subject property and the intensity of the proposed use, particularly the number of residents and the number of parking spaces required is not compatible with the neighbourhood.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (4)

Motion to hear delegations from R. Knutson, Knutson Development Consultants Inc. and L. Davis, Clarke/Churchill Resident's Group.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (5)

8. Chelsea Green Subdivision (formerly Terrace Street Subdivision) (39T-02511)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and AAR-CON Enterprises Corp., for the subdivisions of land over Part of Blocks A, B and C, Part of Terrace Street (Closed by By-law No. 8865-28, Inst. No. CB225), Registered Plan No. 437(C), All of Lots 1 to 12 (both inclusive), all of Block W and Part of Block R, Registered Plan No. 500 (amended by order No. EL34037), in the former Township of Westminster, now in the City of London, County of Middlesex, situated at the west limit of Terrace Street, west of Adelaide Street South:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the approval of the attached, revised, Special Provisions, which are to be contained in a Subdivision Agreement between The Corporation of the City of London and AAR-CON Enterprises Corp., for the Chelsea Green Subdivision (39T-02511);
- b) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" appended as Schedule "B" to the staff report dated June 3, 2014;
- c) the financing for this project BE APPROVED in accordance with the "Sources of Financing Report" appended as Schedule "A" to the staff report dated June 3, 2014; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions;

it being pointed out that the Planning and Environment Committee reviewed and received the attached communication and heard a delegation from R. Dykstra, Ricor Engineering Ltd., with respect to this matter. (2014-D12)

Voting Record:

Motion to approve the staff recommendation with the revised special provisions.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (4)

Motion to hear a delegation from R. Dykstra, Ricor Engineering Ltd.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (4)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

9. Storage Units and Non-Permanent Structures

Recommendation: That the Civic Administration BE REQUESTED to investigate and report back to the Planning and Environment Committee on the banning of storage containers and non-permanent structures in residential rear yards.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (4)

VI. DEFERRED MATTERS/ADDITIONAL BUSINESS

VII. CONFIDENTIAL

(Confidential Appendix to the 11th Report of the Planning and Environment Committee enclosed for Members only.)

The Planning and Environment Committee convened in camera from 7:06 PM to 7:37 PM, after having passed a motion to do so, with respect to the following matter:

C-1 (ADDED) That consideration of the confidential matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to entering into a subdivision agreement between The Corporation of the City of London and AAR-CON Enterprises Corp., for the subdivision of lands over Part of Blocks A, B and C, Part of Terrace Street (Closed by By-law No. 8865-28, Inst. No. CB225), Registered Plan No. 437(C), All of Lots 1 to 12 (both inclusive), All of Block W and Part of Block R, Registered Plan No. 500 (amended by order No. EL34037), in the former Township of Westminster, now in the City of London, County of Middlesex, situated at the west limit of Terrace Street, west of Adelaide Street South.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, J.L. Baechler (4)

VIII. ADJOURNMENT

The meeting adjourned at 7:48 PM.