

**15TH REPORT OF THE**  
**PLANNING AND ENVIRONMENT COMMITTEE**

Meeting held on August 26, 2014, commencing at 4:05 PM, in the Council Chambers, Second Floor, London City Hall.

**PRESENT:** Councillor B. Polhill (Chair) and Councillors D.G. Henderson, P. Hubert and W.R. Monteith and H. Lysynski (Secretary).

**ABSENT:** Councillor S.E. White.

**ALSO PRESENT:** Mayor J. Baechler, Councillors B. Armstrong, N. Branscombe, D. Brown, M. Brown and J.P. Bryant and J.P. Barber, G. Belch, P. Christiaans, C. Colvin, M. Davis, A. Dunbar, M. Elmadoon, J.M. Fleming, S. Galloway, T. Grawey, K. Gonyou, B. Henry, G. Kotsifas, E. Lalande, I. Listar, J. MacKay, A. MacLean, A. Macpherson, L. Maitland, L. McDougall, D. Menard, N. Musicco, J. Ramsay, C. Saunders, E. Soldo, M. Tomazincic, A.B. Watson, J. Yanchula and P. Yeoman.

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**I. CALL TO ORDER**

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

**II. CONSENT ITEMS**

2. Properties located at 3130 and 3260 Dingman Drive and 4397/4407 Wellington Road South – Ontario Municipal Board Decision

Recommendation: That, the Ontario Municipal Board Decision with respect to the application of Greenhills SC Ltd., the Upper Thames Conservation Authority and Costco Wholesale Group, relating to the properties located at 3130 and 3260 Dingman Drive and 4397/4407 Wellington Road South BE RECEIVED. (2014-L01)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

3. Property located at 122 Wortley Road (H-8383)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application of Zelinka Priamo Ltd., relating to the property located at 122 Wortley Road, the proposed by-law, as appended to the staff report dated August 26, 2014, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 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 R8 Special Provision (h-18\*R8-4(22)) Zone TO a Residential R8 Special Provision (R8-4(22)) Zone to remove the “h-18” holding provision. (2014-D14)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

4. Property located at 1800 Sumac Way (H-8356)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to the property located at 1800 Sumac Way, the proposed by-law, as appended to the staff report dated August 26, 2014, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 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 R6 Special Provision (h-140\*R6-5(33)) Zone TO a Residential R6 Special Provision (R6-5(33)) Zone to remove the holding provision. (2014-D14)

## Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

## 5. Foxwood Subdivision (39T-11503)

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 Foxwood Developments (London) Inc., for the subdivision of land over Part of Lot 24, Concession 5, (Geographic Township of London), City of London, County of Middlesex, situated on the north side of Fanshawe Park Road West, east of Hyde Park Road:

- a) the Special Provisions, as appended as Schedule "D to the staff report dated August 26, 2104, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxwood Developments (London) Inc., for the Foxwood Subdivision (39T-11503) BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Sources of Financing Report" appended as Schedule "A" to the staff report dated August 26, 2014;
- c) the financing for this report BE APPROVED in accordance with the "Related Costs and Revenues" appended as Schedule "B" to the staff report, dated August 26, 2014; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all related documents required to fulfill its conditions. (2014-D12)

## Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

## 6. Corporate Campus Subdivision (39T-78066)

Recommendation: That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Doman Developments, for the subdivision of land over Part of Lot 25 and 26, Concession 4, (Geographic Township of London), City of London, County of Middlesex, situated on the west side of Hyde Park Road, north of Gainsborough Road:

- a) the Special Provisions, as appended as Schedule "D to the staff report dated August 26, 2104, to be contained in a Subdivision Agreement between The Corporation of the City of London and Doman Developments for the Corporate Campus Subdivision (39T-78066) BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Sources of Financing Report" appended as Schedule "A" to the staff report dated August 26, 2014;
- c) the financing for this report BE APPROVED in accordance with the "Related Costs and Revenues" appended as Schedule "B" to the staff report, dated August 26, 2014; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all related documents required to fulfill its conditions. (2014-D12)

## Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

7. 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), (former Township of Westminster), 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 Special Provisions as appended as Schedule "C" to the staff report dated August 26, 2014, 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 "Sources of Financing Report" appended as Schedule "A" to the staff report dated August 26, 2014;
- c) the financing for this report BE APPROVED in accordance with the "Related Costs and Revenues" appended as Schedule "B" to the staff report, dated August 26, 2014; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all related documents required to fulfill its conditions;

it being noted that the Planning and Environment Committee heard a verbal presentation from R. Dykstra, Ricor Engineering and reviewed and received a communication dated August 22, 2014, from J. Novick, Ricor Engineering, with respect to this matter. (2014-D12)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith, J. Baechler (5)

8. Building Division Monthly Reports for June and July 2014

Recommendation: That the Building Division Monthly Reports for June and July, 2014 BE RECEIVED. (2014-D00)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

9. Property located at 450 Oxford Street West - Notice of Appeal to the Ontario Municipal Board (OZ-8003)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken in response to the letter of appeal to the Ontario Municipal Board, dated June 13, 2014 and submitted on the basis of non-decision by Council within 120 days, by Alan Patton of Patton Cormier & Associates on behalf of Bluestone Properties Inc. relating to the Zoning By-law Amendment portion of application No. OZ-8003 concerning 450 Oxford Street West:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that Zoning By-law Z.-1 BE AMENDED in accordance with the Official Plan appended as Appendix "A" to the staff report dated August 26, 2014, to change the zoning of the subject property FROM a Restricted Office/Day Care (RO2/DC) Zone and an Open Space (OS4) Zone TO a Holding Office Special Provision (h-\_\_\_\*OF4( )) Zone;

- b) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the request to amend Zoning By-law No. Z.-1, to change the zoning of the subject property FROM a Restricted Office/Day Care (RO2/DC) Zone and an Open Space (OS4) Zone TO an Office Special Provision (OF4( )) Zone, BE REFUSED for the following reason:
- i) a holding provision is recommended in addition to the zone requested, as part of the regulatory tools to ensure it is clear that the proposed development is subject to possible future limitations on the developable area of the land posed by flood limits to be approved by the Upper Thames River Conservation Authority, and its consideration of a possible fill permit application;
- c) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the Site Plan Approval Authority BE REQUESTED to consider the following design, transportation and environmental issues through the site plan process:
- i) maintain the applicant's proposed design intent of locating the building towards the streets' intersection with parking in the rear, subject to any Upper Thames River Conservation Authority fill restrictions, to promote active street frontages;
  - ii) maintain the applicant's intent to choose higher quality building materials, such as masonry, to enhance the design of the building;
  - iii) further enhance the building's entrance at the intersection of Oxford Street West and Proudfoot Lane to better demarcate the public entrance; it being noted that this could be done by extending the circular form to grade and/or using a wrap-around canopy above entry doors; it being further noted that the cornice can also be strengthened in this location;
  - iv) provide a plaza at the corner to help enhance both the private and public space;
  - v) provide additional entry points along the street to help articulate the building's design, respond to the pedestrian realm and transit users' needs, and promote retail occupancy at-grade;
  - vi) include street trees along both Oxford Street West and Proudfoot Lane to reinforce the façade design rhythm along the street; it being noted that these trees should be located as part of the right-of-way boulevard;
  - vii) use landscape islands to break up the extent of asphalt parking lot and long drive aisles, increase sustainability and provide stormwater management opportunities; also, consider the use of pervious materials such as pervious pavers to facilitate stormwater management;
  - viii) locate bicycle parking opportunities near building entrances to encourage multi-modal transportation opportunities;
  - ix) provide appropriate and safe vehicular access locations and turning movement restrictions;
  - x) ensure the site design accommodates current and future bus bay requirements of the London Transit Commission; and,
  - xi) implement the accepted Environmental Impact Statement (Dillon Consulting Ltd., July 27, 2012);
- d) the Ontario Municipal Board BE ADVISED that the Municipal Council resolved that, upon the completion of the Mud Creek Subwatershed Study Update and the provision of revised floodlines by the Upper Thames River Conservation Authority to the City, the Civic Administration BE DIRECTED to bring forward any required amendments to the Official Plan and the Z.-1 Zoning By-Law to implement the revised floodlines as approved by the Upper Thames River Conservation Authority; it being noted that an Open Space designation and an Open Space (OS4) Zone variation could be applied to a portion of these lands; and,
- e) the City Solicitor BE REQUESTED to retain outside expert witnesses in support of Council's position as needed. (2014-D14)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith, J. Baechler (5)

10. Urban Forest Strategy and Implementation Plan Update

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken relating to the Urban Forest Strategy and Implementation Plan, recognizing that London's tree canopy cover has been reduced from 24.7% in 2008 to an estimated 23% in 2014:

- a) the June 2014 Urban Forest Strategy and Implementation Plan, for the long term sustainability of London's urban forest, BE ADOPTED AND AMENDED to incorporate and achieve tree canopy targets of 28% by 2035 and 34% by 2065;
- b) the Civic Administration BE DIRECTED to submit a Business Case to support the implementation of the amended June 2014 Urban Forest Strategy and Implementation Plan as part of the 2015 Budget process, recognizing that the adoption of the Urban Forest Strategy will result in the need to expand the City's Urban Forestry Program; it being noted that Business Cases may need to be prepared for future years; it being further noted that the Municipal Council has already supported enhanced community planting efforts through the 2014 Budget process;
- c) the Civic Administration BE DIRECTED to prioritize the creation of a cross-divisional implementation team by November 1, 2014, to ensure the coordination of the Urban Forest Strategy and Implementation Plan;
- d) the Civic Administration BE DIRECTED to revise, as required, City policies, standards, guidelines and practices to better protect and manage City trees; and,
- e) the Civic Administration BE DIRECTED to revise the Tree Conservation By-law to improve the protection of trees on private lands; it being noted that this will require a significant increase in staff and administration levels to implement and enforce; it being further noted that an estimated 75% of the urban forest is on private property and higher canopy targets cannot be achieved without maximum tree protection. (2014-E04)

Motion Passed

YEAS: B. Polhill, P. Hubert, W.R. Monteith (3)

NAYS: D.G. Henderson (1)

11. 2013 State of the Downtown Report

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the report dated August 26, 2014, with respect to the 2013 State of the Downtown Report, which analyses measures to track the annual progress of Downtown revitalization programs, BE RECEIVED. (2014-D19)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

12. Stoney Creek Open Space Pathway Development East of Trossacks Avenue

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the report dated August 26, 2014, relating to the Stoney Creek open space pathway development east of Trossacks Avenue BE RECEIVED. (2014-R04)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

13. Commitments for Financial Incentive Programs at 121-123 Dundas Street, 471 Richmond Street, 242 Dundas Street and 192-194 Dundas Street

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Financial Incentive Commitments under the Tax Grant Incentive, Upgrade to Building Code Loan and Façade Improvement Loan Programs, for the properties located at 121-123 Dundas Street, 471 Richmond Street, 242 Dundas Street, & 192-194 Dundas Street:

- a) the staff report, dated August 26, 2014, with respect to the Financial Incentive Commitments under the Tax Grant Incentive, Upgrade to Building Code Loan and Façade Improvement Loan Programs, for the properties located at 121-123 Dundas Street, 471 Richmond Street, 242 Dundas Street, & 192-194 Dundas Street BE RECEIVED; and,
- b) the Civic Administration BE DIRECTED to process the above-noted grant and loan applications in accordance with the Downtown incentive programs. (2014-F11)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

14. Heritage Conservation District Status Report

Recommendation: That, the following actions be taken with respect to the prioritization of Heritage Conservation Districts:

- a) the Civic Administration BE REQUESTED to prepare a detailed work plan, including the prioritization of the Heritage Conservation Districts, that are to be expediently moved through the process;
- b) the Civic Administration BE DIRECTED to commence Heritage Conservation District studies for the SoHo and the Grosvenor-St. James areas' requests to determine the eligibility for Heritage Conservation District designation;
- c) subject to the completion of part a), above, the Civic Administration BE ASKED to prepare a Business Case for the Heritage Conservation District studies to be undertaken in 2015; and,
- d) the staff report, dated August 26, 2014, relating to the Heritage Conservation District status report, BE RECEIVED. (2013-R01)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

15. Environmental Impact Study - Performance Evaluation for the City of London

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the report dated August 26, 2014, with respect to the Environmental Impact Study Performance Evaluation background document for the review and update of the Environmental Management Guidelines BE RECEIVED. (2014-E20)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith, J. Baechler (5)

### III. SCHEDULED ITEMS

#### 16. 9th Report of the London Advisory Committee on Heritage

Recommendation: That, the following actions be taken with respect to the 9th Report of the London Advisory Committee on Heritage (LACH) from its meeting held on August 13, 2014:

- a) the Civic Administration BE ADVISED that the LACH does not object to the proposed demolition of the building located at 915 Queens Avenue;
- b) the following actions be taken with respect to the proposed demolition of the Priority 1 building located at 2526 Oxford Street West:
  - i) the Civic Administration BE ADVISED that the LACH expressed regret for the possible loss of a heritage resource, but does not object to the demolition of the building located at 2526 Oxford Street West; and,
  - ii) Infrastructure Ontario BE REQUESTED to consult with the LACH with respect to interpretive signage for the above-noted site; it being noted that the funding for any signage be provided by Infrastructure Ontario;
- c) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application for the designated property located at 869-871 Dundas Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposal and has advised that the impact of such alteration on the heritage features identified in the reasons for designation is acceptable; it being further noted that the LACH heard a verbal delegation from J. Melville, Applicant, with respect to this matter; and,
- d) that clauses 4 to 9, inclusive, of the 9th Report of the LACH BE RECEIVED;

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

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith, J. Baechler (5)

#### 17. 8th Report of the Environmental and Ecological Planning Advisory Committee

Recommendation: The following actions be taken with respect to the 8th Report of the Environmental and Ecological Planning Advisory Committee (EEPAC) from its meeting held on July 17, 2014:

- a) the following actions be taken with respect to Beacon Environmental's response to the Environmental and Ecological Planning Advisory Committee (EEPAC) comments relating to the EIS Performance Monitoring Report:
  - i) the Civic Administration BE ASKED to develop a method by which recommendations from an Environmental Impact Study or Environmental Assessment are included in a subdivision or development agreement;
  - ii) the recommendations in part i), above, BE IMPLEMENTED;
  - iii) the Civic Administration BE ASKED to report back on the progress within one year; and,
  - iv) the Civic Administration BE ASKED to review methods that the City can use to regulate and enforce that no gates be installed on fences on lots adjacent to components of the natural heritage system and to report back at a future meeting of the Planning and Environment Committee;

- b) that clauses 2 to 9, inclusive, of the 8th Report of the EEPAC BE RECEIVED;

it being noted that the Planning and Environment Committee received the attached presentation from S. Levin, Vice Chair, with respect to these matters.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith, J. Baechler (5)

18. 8th Report of the Advisory Committee on the Environment

Recommendation: The following actions be taken with respect to the 8th Report of the Advisory Committee on the Environment (ACE) from its meeting on July 16, 2014:

- a) the Civic Administration and the Planning and Environment Committee BE REQUESTED to review the ACE submission with respect to London being a "Pollinator Sanctuary" and designated as such in the London Plan; it being noted that the submission includes the following recommendations with respect to this matter:
- i) identifying London as a Pollinator Sanctuary in the City's Official Plan;
  - ii) including explicit language throughout the London Plan that refers to the importance of creating suitable habitat for pollinators on private and public lands as well as reducing pesticide pressures;
  - iii) modifying the City of London by-laws concerning property standards, streets, trees and parks to reflect the City's proposed status as a Pollinator Sanctuary;
  - iv) creating a Natural Heritage Master Plan which should have an extensive section on protecting but also on restoring and creating pollinator habitat across the city;
  - v) providing and/or expand more forage and habitat areas in the city, through less mowing and allowing wild flowers and grasses to flourish (in park lands, boulevards, backyards and rooftops) and support the creation of natural corridors and meadows between forage areas; including planting more native and other plants that support the health of pollinators such as milkweed;
  - vi) collaborating with the City's many organization and business contacts to encourage planting and development of bio-diverse areas on their properties, with special emphasis on native plants;
  - vii) ensuring that plants used in the City of London gardens are purchased from local suppliers who are not using neonicotinoid insecticides and encourage or require its affiliated schools, libraries and community centres to use locally grown, neonicotinoid-free plants;
  - viii) leading by example, London will encourage community organizations, businesses, and institutes of higher education to plant diverse, locally grown, neonicotinoid-free plants;
  - ix) informing and encouraging gardeners to purchase organic seedlings or grow their plants from untreated seeds for their vegetable and flower gardens and encouraging garden centers that do not use treated seeds to publicize this advantage; and,
  - x) encouraging further collaboration between Civic Administration, neighbouring conservation authorities, municipalities and agricultural associations to develop programs which encourage plant diversity and native plants as well as the creation of corridors for pollinator movement; and,
- b) that clauses 2 to 5, inclusive, of the 8th Report of the ACE BE RECEIVED;

it being noted that the Planning and Environment Committee reviewed and received a communication dated August 15, 2014, from B. Olivastri, Chief Executive Officer, Friends of the Earth, with respect to this matter; and,



it being pointed out that the Planning and Environment Committee received the attached presentation from D. Szoller, Chair, ACE and M. Temme, Member, ACE Working Group.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, W.R. Monteith, J. Baechler (4)

19. Proposed Amendments to the Site Plan By-law

Recommendation: That, on the recommendation of the Manager, Development Services and Planning Liaison, the proposed attached, revised by-law, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 2014, to amend Site Plan Control Area By-law C.P-1455-541;

it being pointed out that there were no oral submissions made at the public participation meeting associated with these matters. (2014-C01)

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to amend the by-law in part c) of Table 10.3

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith, J. Baechler (5)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

20. Property located at 877 Medway Park Drive (Z-8357)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Trustees of the Bellwood Park Congregation of the Jehovah's Witnesses, relating to the property located at 877 Medway Park Drive, the proposed by-law, as appended to the staff report dated August 26, 2014, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 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 Holding Restricted Office (h-17\*RO2) Zone TO a Holding Neighbourhood Facility (h-17\*h-18\*NF) Zone and a Holding Restricted Office (h-17\*h-18\*RO2) Zone; it being noted that the application is required to satisfy a condition of consent and that the subject lands will be conveyed to adjoining parcels;

it being pointed out that there were no oral submissions made at the public participation meeting associated with these matters. (2014-D14)

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

21. Proposed Agreement for the Continuation of the use of the Boulevard and Proposed Amendment to the Fees By-law

Recommendation: That, on the recommendation of the Manager of Development Services and Engineering Liaison, the following actions be taken with respect to the proposed Agreement for the continuation of the use of the boulevard and the proposed amendment to the Fees By-law:

- a) the form of the agreement, as appended to the staff report dated August 26, 2014, BE USED for the purpose of authorizing the continued use of lands dedicated for road widening by the Owner at the time of redevelopment;
- b) that the Mayor and Clerk BE AUTHORIZED to execute the above-noted agreements, as prepared by Development Services, for the use of the lands deeded to the City as a result of development on the abutting lands, including consents, all under the authority of By-law A.-1; and,
- c) the proposed by-law, as appended to the staff report dated August 26, 2014, to the Various Fees & Charges By-law A-47, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 2014;

it being pointed out that there were no oral submissions made at the public participation meeting associated with these matters. (2014-L04A/C01)

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to close to the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

22. Properties located at 1-34 Barberrry Court, 35-48 Ivy Court, 49-81 Vinewood Court and 82-100 Primrose Court (TZ-8353)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Health Zone Nurse Practitioner Led Clinic, relating to the properties located at 1-34 Barberrry Court, 35-48 Ivy Court, 49-81 Vinewood Court and 82-100 Primrose Court, the proposed by-law, as appended to the staff report dated August 26, 2014, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), by extending the Temporary (T-64) Zone;

it being pointed out that there were no oral submissions made at the public participation meeting associated with these matters. (2014-D14)

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

23. Properties located at 931-1127 Southdale Road East and 551-605 Millbank Drive (TZ-8354)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Health Zone Nurse Practitioner Led Clinic, relating to the properties located at 931-1127 Southdale Road East and 551-605 Millbank Drive, the proposed by-law, as appended to the staff report dated August 26, 2014, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), by extending the Temporary (T-65) Zone;

it being pointed out that there were no oral submissions made at the public participation meeting associated with these matters. (2014-D14)

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

24. Properties located at 940 and 956 Wharnccliffe Road South (OZ-8359)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Kenlind Holdings Ltd., relating to the properties located at 940 and 956 Wharnccliffe Road South:

- a) the proposed attached, revised by-law, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 2014, to amend the Official Plan for the front portion of the property BY ADDING a specific policy to Section 10.1.3 – Policies for Specific Areas; and,

- b) the proposed attached, revised by-law, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 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 subject property FROM a Restricted Service Commercial (RSC2) Zone, TO a Restricted Service Commercial Special Provision (RSC2( )) Zone;
- 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 amendments are agreeable to the applicant, the representative for Loblaws who spoke at the public participation meeting and the Civic Administration;

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

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

25. Properties located at 447 Old Wonderland Road (Z-8228)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 2376563 Ontario Inc., relating to the property located at 447 Old Wonderland Road:

- a) the Municipal Council BE ADVISED that Zoning By-law amendment application (Z-8228) has been appealed to the Ontario Municipal Board by Alan Patton of Patton, Cormier & Associates LLP, on behalf of the applicant on the basis of non-decision by Council within 120 days;
- b) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that Zoning By-law Z.-1 BE AMENDED in accordance with the Official Plan, as appended to the staff report dated August 26, 2014, to change the zoning of the subject property FROM an Open Space (OS1) Zone TO a Holding Restricted Office Special Provision (h-5\*h-64\*h-( )\*RO2( )) Zone to include additional regulations;
- c) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the Site Plan Approval Authority BE REQUESTED to consider implementing, through the site plan approval process, the design features recommended below:
  - i) extensive landscaping along the western edge of the property to screen all exposed parking lots from the Wonderland Road South corridor and create a positive edge condition which enhances the pedestrian experience;
  - ii) extensive landscaping along the eastern edge of the property abutting the residential lands to provide screening of the parking lot, street, and building from the adjacent residences;

- iii) installation of a continuous 1.83 metre (6 feet) minimum sound attenuation fence along the eastern property line directly abutting the adjacent residential lands in order to: mitigate the impacts from the Wonderland Road South corridor, the surface parking lot, and/or any mechanical equipment to the residential uses; screen the residential amenity area; and, prevent pedestrian access from Old Wonderland Road;
  - iv) if any retaining walls are required they shall be located a minimum 5 metres away from the east side yard adjacent to residential zones;
  - v) consider additional landscaping in the plantable area within the parking lot islands to reduce the heat island effect of the parking lot;
  - vi) consider aligning the proposed building with the Teeple Terrace property line in order to allow the building to properly address the street; and,
  - vii) enhancement of the architecture of the building at the intersection with a change in massing which could include a height element in order to address the corner and provide definition to enhance the pedestrian experience at the intersection;
- d) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the request to amend Zoning By-law No. Z.-1, to change the zoning of the subject property FROM an Open Space (OS1) Zone TO a Restricted Office Special Provision (RO2(\_)) Zone to permit additional uses BE REFUSED for the following reasons:
- i) the additional uses are not in conformity with the Official Plan;
  - ii) the additional uses do not meet the location criteria of the Official Plan given the proximity to low density residential development; and,
  - iii) the additional uses are not considered office uses contemplated in the Restricted Office Zone;

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

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

26. Property located at 299 Tartan Drive (O-8381/Z-8311)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Khawar Hanif, relating to the property located at 299 Tartan Drive:

- a) the proposed by-law, as appended to the staff report dated August 26, 2014, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 2014, to amend the Official Plan to change the designation of the subject property FROM Office Business Park TO Low Density Residential;

- b) the proposed by-law, as appended to the staff report dated August 26, 2014, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 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 subject property FROM an Office Business Park (OB1) Zone TO a Residential R6 Special Provision (R6-5( )) Zone;
- c) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the Site Plan Approval process:
  - i) buildings be oriented towards Tartan Drive and Grampian Woods Park to provide a positive interface to the public realm;
  - ii) pedestrian access be maintained to Grampian Woods Park to provide direct access to this public open space area;
  - iii) adequate snow storage and/or removal be implemented to ensure that snow is not placed on adjacent properties;
  - iv) waste/recycling collection location(s) be identified and managed to mitigate impacts onto abutting lands; and,
  - v) fencing be provided to maintain privacy between the subject lands and Office Business Park;

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

Voting Record:

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

27. Property located at 164 Sherwood Forest Square (Z-8327)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Futurestreets Inc. relating to the property located at 164 Sherwood Forest Square:

- a) the proposed by-law, as appended to the staff report dated August 26, 2014, BE INTRODUCED at the Municipal Council meeting to be held on September 2, 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 Community Facility (CF1) Zone TO a Holding Residential R8 Special Provision (h-11\*h-\_\*R8-4( ))Zone;
- b) the Site Plan Approval Authority BE REQUESTED to implement, through the site plan approval process, the development of the subject site in a manner that is consistent with the Site Plan Drawings appended as Schedule "1" to the staff report dated August 26, 2014, as well as the design features recommended below:
  - i) treat any building facades adjacent to Sherwood Forest Square or Fairfax Court architecturally as a view terminus to create an appropriate interface with the public;

- ii) further accentuate the principal building entrances by articulating the building to highlight the location of the entrance beyond the portico;
  - iii) consider including two columns of windows on façade articulations in order to achieve a balance of materials on the façade;
  - iv) ensure that the base of the building is in scale with the height of the building and ensure that the materials used on the base are applied on the base on all elevations in order to visually break down the massing of the building;
  - v) use of iron rod fencing along the north portions of the site to maintain visibility of the pedestrian pathway spanning Fairfax Court and the property at 1225 and 1229 Wonderland Road North (Sherwood Forest Mall); and,
  - vi) ensure that the lighting on the north east side of the building is not directed into the neighbouring condos; and,
- c) the Civic Administration BE REQUESTED to give the public, within the circulation area relating to this matter, notification of the removal of the holding provision for transportation access;

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

Voting Record:

Motion Passed

YEAS: B. Polhill, P. Hubert, W.R. Monteith (3)

NAYS: D.G. Henderson (1)

Motion to open the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

#### **IV. ITEMS FOR DIRECTION**

##### **28. Development Charges and the Community Improvement Plan**

Recommendation: That, the communication dated July 26, 2014 from D. Szpakowski, President, Hyde Park Business Association, requesting the initiation of a "Community Improvement Plan" for the Hyde Park area and the request to reconsider the increase to the Development Charges that will be effective January 1, 2015, for the property owned by D & S Pianos on the east side of Hyde Park Road, north of Gainsborough Road, south of the stormwater management pond, BE REFERRED to the Civic Administration for consideration, in the context of what the City can do to help small businesses grow and to report back at a future meeting of the Planning and Environment Committee. (2014-F21)

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

## 29. Properties located at 51 and 99 Exeter Road

Recommendation: That the Civic Administration BE REQUESTED to undertake the following actions with respect to the properties located at 51 and 99 Exeter Road:

- a) consider the comments provided by the delegations at the August 26, 2014 Planning and Environment Committee meeting with respect to this matter; and,
- b) report back at a future meeting of the Planning and Environment Committee with respect to whether or not there is a requirement for a public participation meeting relating to this matter;

it being pointed out that the Planning and Environment Committee heard delegations from the following with respect to this matter:

- B. R. Card, on behalf of D. Waites, Lerner; Westbury International and Decade Corporation;
- J. Paul, Stantec, on behalf of D. Waites, Lerner; Westbury International and Decade Corporation;
- T. Pierce, Smart Centres, on behalf of Greenhills Shopping Centres;
- D. Stewart, Stantec, on behalf of AARTS Group;
- J. Harbell, Stikeman Elliott LLP, on behalf of the joint venture of York Developments and North American Shopping Centres; and,
- A. Skinner, Aird & Berlis LLP, on behalf of Sifton Properties Limited.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, W.R. Monteith (4)

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

**VI. CONFIDENTIAL**

*(Confidential Appendix to the 14th Report of the Planning and Environment Committee enclosed for Members only.)*

The Planning and Environment Committee convened in camera from 5:18 PM to 5:57 PM, after having passed a motion to do so, with respect to the following matters:

- C-1 A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to the Application by Greenhills Shopping Centres Ltd., 51 and 99 Exeter Road
- C-2 A matter pertaining to litigation or potential litigation with respect to appeals to the Ontario Municipal Board Ontario Municipal Board case number PL131116 appealing Official Plan Amendment 557 and Zoning By-law Amendment Z.-1-132226; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with appeals to the Ontario Municipal Board from the decisions of Municipal Council to approve Official Plan Amendment 557 and Zoning By-law Amendment Z.-1-132226 and a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition, the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed



acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition.

C-3 A matter pertaining to litigation affecting the municipality, specifically an outstanding appeal by AAR-CON Enterprises Corporation to the Ontario Municipal Board, File No. PL030543; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose relating to a pending motion before the Ontario Municipal Board.

C-4 A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose relating to a pending motion before the Ontario Municipal Board relating to the property located at 450 Oxford Street West.

Motion Passed

YEAS: D.G. Henderson, B. Polhill, P. Hubert, S.E. White, W.R. Monteith, J.L. Baechler  
(6)

**VII. ADJOURNMENT**

The meeting adjourned at 9:48 PM.