

3RD REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on January 16, 2012, commencing at 3:05 PM, in the Council Chambers, Second Floor, London City Hall.

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

ALSO PRESENT: Mayor J.F. Fontana, Councillors J. L. Baechler and P. Hubert, D. Ailles, G. Barrett, G. Belch, J. Braam, J. Buchanan, T. Copeland, B. Debbert, A. Drost, A. Dunbar, M. Elmadhoon, J. M. Fleming, E. Gamble, T. Grawey, B. Henry, G. Kotsifas, B. Krichker, J. Leunissen, A. Macpherson, L. McDougall, N. McKee, S. Meksula, D. Menard, J. Michaud, L. Mottram, N. Musicco, B. Page, J. Page, A. Riley, D. Stanlake, J. Yanchula and P. Yeoman.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That Councillor Polhill disclosed a pecuniary interest in clause 8 of this Report, relating to the property located at 10 Cummings Avenue, by indicating that his son is a member of the Committee of Adjustment.

That Councillor Henderson disclosed a pecuniary interest in clause 19 of this Report, relating to the property located at 550 Kingsway Avenue and 572 Wonderland Road North, by indicating that he has an office at Kingsway Avenue.

II. CONSENT ITEMS

2. 1st Report of the Advisory Committee on the Environment

Recommendation: That, the following actions be taken with respect to the 1st Report of the Advisory Committee on the Environment from its meeting held on December 14, 2011:

- a) the Civic Administration **BE REQUESTED** to prepare an information report for the Civic Works Committee to identify new ways of encouraging the community to disconnect weeping tiles and rain water connections from the sanitary sewer system, including, but not limited to:
 - i) increased educational promotion; and,
 - ii) a service charge for any connections to the sanitary sewer system, commencing in 2013; and,
- b) that clauses 2 through 9, inclusive, **BE RECEIVED**.

3. 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 15, 2011, **BE NOTED**.

4. Development Activity Update

Recommendation: That, on the recommendation of the Executive Director, Planning, Environmental and Engineering Services, the report dated January 16, 2012 with respect to the Development Activity Update and the 2011 Development Charges Growth Projects Summary, **BE RECEIVED** for information; it being noted that the Planning and Environment Committee reviewed and received a communication dated January 13, 2012 from J. Kennedy, London Development Institute, with respect to this matter.

5. Special Provisions - Sunningdale Meadows Subdivision (39T-10502)

Recommendation: That, on the recommendation of the Director, Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Sunningdale Golf & Country Club Ltd., Corlon Properties Inc. and 160 Sunningdale Road West Ltd., for the subdivisions of land, over Part of Lots 16 and 32, Registrar's Compiled Plan 1028 and Part of Lots 41 and 48, Registrar's Compiled Plan 1029, (Geographic Township of London), City of London, County of Middlesex:

- a) the attached, revised, Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Sunningdale Golf & Country Club Ltd., Corlon Properties Inc. and 160 Sunningdale Road West Ltd., for the subdivisions of land for the Sunningdale Meadows Subdivision (39T-10502) **BE APPROVED**;
- b) the financing for the project **BE APPROVED** in accordance with the "Sources of Financing Report" provided as Appendix 'A' to the associated staff report, dated January 16, 2012;
- c) the Mayor and the City Clerk **BE AUTHORIZED** to execute the subject Subdivision Agreement, any amending agreements and all documents required to fulfill its conditions; and,
- d) the financing for the project **BE APPROVED** in accordance with the "Estimated Claims and Revenues Report" provided as Appendix 'B' to the associated staff report, dated January 16, 2012.

6. Property located at 1390 Highbury Avenue North (H-7997)

Recommendation: That, on the recommendation of the Director, Development Planning and the Managing Director, Development Approvals Business Unit, based on the application by Cornerstone Architecture relating to the property located 1390 Highbury Avenue North, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 31, 2012 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 R7 Special Provision (h-2*h-103*R7(14)*D75*H13) Zone **TO** a Residential R7 Special Provision (R7(14)*D75*H13) Zone to remove the holding provision.

7. The Southern Portion of 1270 Sunningdale Road East (Phase I - 33M-631) (H-7987)

Recommendation: That, on the recommendation of the Director, Development Planning and the Managing Director, Development Approvals Business Unit, based on the application by Sifton Properties Limited relating to the property located on the southern portion of 1270 Sunningdale Road East (33M-631), the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 31, 2012 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-96*R1-3) Zone and a Holding Residential R1 (h-96*R1-5) Zone **TO** a Residential R1 (R1-3) Zone and a Residential R1 (R1-5) Zone to remove the holding provision.

8. Property located at 10 Cummings Avenue

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board submitted by Erika Simpson, relating to minor variance application A.117/11 concerning 10 Cummings Avenue, the following actions be taken:

- a) the Ontario Municipal Board **BE ADVISED** that the Municipal Council supports the Committee of Adjustment decision to refuse the minor variance; and,

- b) the City Solicitor and the Director of Land Use Planning and City Planner **BE DIRECTED** to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Committee of Adjustment's decision.

9. London Psychiatric Hospital Secondary Plan - Notice of Appeal to the Ontario Municipal Board (O-7668)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board, dated November 1, 2011 and received by the City Clerk on November 3, 2011, submitted by Robert Malpass, President of the Fairmont Lawn Bowling Club, on behalf of the Fairmont Lawn Bowling Club, relating to Official Plan Application No. O-7668 concerning the London Psychiatric Hospital Secondary Plan described as 840 and 850 Highbury Avenue North and 1414 and 1340 Dundas Street and lands without municipal address east of 850 Highbury Avenue North and bounded by the Canadian Pacific and Canadian National Railways, the Ontario Municipal Board **BE ADVISED** that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it.

10. Building Division Monthly Report for November 2011

Recommendation: That the Building Division Monthly Report for December, 2011 from the Director of Building Controls **BE RECEIVED**.

III. SCHEDULED ITEMS

11. 1st Report of the London Advisory Committee on Heritage

Recommendation: That the following actions be taken with respect to the 1st Report of the London Advisory Committee on Heritage (LACH), from its meeting held on December 14, 2011:

- a) the Heritage Alteration Permit Application of J. Deluca requesting permission for an alteration to the driveway at the designated heritage property located at 559 Grosvenor Street **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed change and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is appropriate with respect to the Conservation Guidelines for the District; it being also noted that the LACH heard a verbal presentation from J. Deluca, 559 Grosvenor Street, with respect to this matter;
- b) the Civic Administration **BE ASKED** to undertake the following, with respect to demolition applications for heritage properties listed in the *Inventory of Heritage Resources*:
 - i) implement the same administrative process that is used for minor variances applications, which is to send notification letters to adjacent property owners within a 60 metre radius; and,
 - ii) receive a legal opinion related to the requirement to notify neighbourhood community associations of demolition applications;

it being noted that the LACH received a communication, dated December 13, 2011, from M. Parks, Bishop Hellmuth Community Association, with respect to this matter; and,

- c) that clauses 3 through 15, inclusive, **BE RECEIVED**;

it being noted that the Planning and Environment Committee heard a verbal delegation from J. O'Neil, Acting Chair, LACH, with respect to these matters.

IV. ITEMS FOR DIRECTION

12. Residential Intensification Policies (O-7970)

Recommendation: That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to Section 3.2.3.1 “Residential Intensification Definition” and Section 3.2.3.5 “Public Site Plan Review and Urban Design” of the Official Plan:

- a) the proposed policy relating to Section 3.2.3.1 “Residential Intensification Definition” and Section 3.2.3.5 “Public Site Plan Review and Urban Design” of the Official Plan **BE REFERRED** back to the Civic Administration for further consideration;
- b) the communication, dated January 4, 2012, from S. Levin, President, Orchard Park/Sherwood Forest Ratepayers **BE REFERRED** to the Civic Administration for consideration;
- c) the Civic Administration **BE REQUESTED** to provide clarification of the language in the proposed Official Plan Policies; and,
- d) the Civic Administration **BE REQUESTED** to review the intensification policies of the Official Plan;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated January 13, 2012 from L. Kirkness, Acting President, London Area Planning Consultants, with respect to this matter;

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

- L. Kirkness, Acting Chair, London Area Planning Consultants (LAPC) – advising that LAPC had input in the Vision ‘96 process; indicating that they resumed meeting last Fall; requesting that the staff recommendation be referred back to allow the LAPC more time to work with staff on this matter; advising that there are a number of issues to be addressed; realizing that intensification and infill are important, but there may be another way to get there; indicating that LAPC agrees with the part 1, and part of part 3, of the amendment in the staff report; indicating that part 2 of the amendment in the staff report cuts it way too short, by indicating that the site plan review and any studies are formidable and that it undermines opportunities to infill and intensify; advising that part of amendment number 3, is sometimes done without public site plans; and reciting parts (a) and (b) of the LAPC communication on the Planning and Environment, January 16, 2012 Agenda.
- M. Doornbosch, Zelinka Priamo Ltd. – requesting that this be reviewed with specific applications; advising that she has one client who has several single-family residential properties that have been demolished and a duplex has been built in their place, with the only requirement from the City, being a building permit; advising that her biggest concern is looking at a broader review of policies for lands with existing zoning; and requesting that this matter be referred back to the Civic Administration.
- J. Kennedy, London Development Institute – indicating that he is speaking on behalf of home builders; requesting clarification of rezoning and changes to notices on page 5 of the Civic Administration’s report relating to this matter; advising that on the bottom of page 5 of the Civic Administration’s report, that they are not going through the process the same as would be required for an Official Plan Amendment and site plan approval process; indicating that the Municipal Council now meets every three weeks, so things take longer; and requesting that the report be referred back to the Civic Administration.
- A. R. Patton, Patton Cormier & Associates – advising that there is a major inconsistency in section 3.2.3.1, in italics, on the top of page 120 of the January 16, 2012 Planning and Environment Committee Agenda; indicating that infill is caught by this process; advising that it does not

apply to semi-detached and duplex dwellings; advising that areas not fully developed are not going to be included; indicating that this is counterproductive; advising that the policy makes it more difficult and time consuming; advising that the language is dangerous; and the wording needs to be road tested.

- A. Kaplansky, Kapland Construction – indicating that Planning Staff is asking for clarification and making things harder; advising that this will increase costs by at least \$10,000; and it will make it impossible to do a development in London.
- R. Zelinka, Zelinka Priamo Ltd. – indicating that this is an important issue; advising that the policy discourages small scale intensification; advising that the policies, as proposed, are discriminatory and unfair and held to a different standard of accountability; advising that if you change infill with a new lot created, it is an extensive process; advising that the owner next door could replace his house; the process entails a waste of valuable resources and Planning and Environment Committee time; indicating that every building permit application process would be the same as inviting your neighbours to see what you want to do; advising that it is more onerous; indicating that the definition is consistent with the Provincial Policy Statement; however, the Provincial Policy Statement does not indicate that a public process has to be gone through; advising that the City has its own policy, and some things are exempted from the process; and if it is to be reviewed, examine how to make infill more involved.

13. Street Renaming of Innovation Gate between Bradley Avenue and Discovery Drive

Recommendation: That, on the recommendation of the Director of Development Planning, and notwithstanding the Municipal Council policy on street renaming after businesses, the following actions be taken with respect to the application by The Corporation of the City of London for a street renaming:

- a) the portion of Innovation Gate, within Registered Plan 33M-627, located between Bradley Avenue and Discovery Drive, **BE RENAMED** to Oetker Gate; and,
- b) on approval of the street name change, the City Clerk **BE REQUESTED** to introduce a by-law, at a future meeting of the Municipal Council, to rename Innovation Gate within Registered Plan 33M-627, located between Bradley Avenue and Discovery Drive, to Oetker Gate;

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

14. 1959 Wharncliffe Road South (Z-7983)

Recommendation: That, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, based on the the application of 1640209 Ontario Limited relating to the lands located at 1959 Wharncliffe Road South, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 31, 2012 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*R1-4) Zone and an Urban Reserve (UR4) Zone **TO**:

- an Urban Reserve (UR4) Zone, which permits a range of uses including existing dwellings, restricted agricultural uses, managed woodlots and kennels; and,
- a Holding Residential R1 (h*R1-4) Zone, which permits single detached dwellings with a minimum lot frontage of 12 metres and a minimum lot area of 360 square metres.

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

15. Reclassification of Environmentally Significant Areas (O-7958)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, based on the application of the City of London relating to policies for Environmentally Significant Areas, the attached proposed by-law, **BE INTRODUCED** at the Municipal Council meeting to be held on January 31, 2012 to amend the Official Plan by changing Section 16 and Section 18 to re-classify Environmentally Significant Areas as a new and separate category within the park hierarchy system and delete the requirement for Conservation Master Plans, to be consistent with the Bicycle Master Plan;

it being noted that the Planning and Environment Committee reviewed and received the following communications, in support of the staff report:

- S. Levin, President, Orchard Park/Sherwood Forest Ratepayers, dated January 4, 2012;
- A. Caveney, Nature London, dated January 2, 2012; and,
- D. Wake, 597 Kildare Road, dated January 16, 2012;

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

- D. Sheppard, Chair, Environmental and Ecological Planning Advisory Committee (EEPAC) – expressing support for the staff recommendation; advising that the proposed changes highlight why environmentally significant areas were created; indicating that the policies are straightforward and easy to understand; and expressing appreciation to the Civic Administration for working with the EEPAC and the community on this matter.
- A. Caveney, Nature London - expressing support for the staff recommendation; thanking the Civic Administration for working with Nature London; advising that environmentally significant areas are special and should be regarded as nature preserves.
- D. Wake, 597 Kildare Road - expressing support for the staff recommendation; thanking the Civic Administration and the EEPAC for working with the community; and advising that he has been working in natural areas for forty years.
- J. Cushing, Member, London Advisory Committee on Heritage (LACH) - expressing support for the staff recommendation, the EEPAC and Nature London comments; and advising that part of the LACH mandate is to look after natural heritage, which includes environmentally significant areas.

16. Market Lane Design Competition - Winning Design Announcement

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken regarding the endorsement of the Design Jury's recommendation for the Market Lane Design Competition:

- a) the report, dated January 5, 2012, from the Director, Land Use Planning and City Planner, **BE RECEIVED** for information, regarding the design competition process and next steps for the Market Lane redevelopment project;
- b) the winning design, as submitted by Hapa Collaborative, as selected by the independent Design Jury, **BE ENDORSED** for the redevelopment of Market Lane in 2012;
- c) Hapa Collaborative, the HiVE, 210 - 128 West Hastings Street, Vancouver BC V6B 1G8, **BE AWARDED** a contract with the City of London to prepare construction and tender documents and provide contract administration for the realization of their design, at an upset cost of \$75,000, as set out in the Source of Financing Report, provided as Appendix "A" to the associated staff report, dated January 16, 2012; and,

- d) the four other design competition competitors **BE THANKED** for their time and effort in making their submissions to the City;

it being noted that the Planning and Environment Committee heard a verbal presentation from A. Macpherson, Manager, Parks Planning and Design and received the attached presentation from S. Reis, Chair, Design Jury, with respect to this matter.

17. Decommissioning the South Street Hospital

Recommendation: That, the following actions be taken with respect to the decommissioning of the South Street Hospital:

- a) that, on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the five listed properties and three additional properties identified as having heritage value by a recent heritage assessment, located on the lands of the South Street campus of the London Health Sciences Centre (LHSC):
- i) for the buildings located on the south side of South Street:
 - A) the LHSC and the Chief Building Official **BE ADVISED** that the Municipal Council has no concerns with respect to the demolition of the Main Hospital Building, the Pastoral Care Building, the Isolation Building and the Surgical Building;
 - B) prior to the demolition of the north wing of the Main Hospital Building, as well as the Surgical Building, the Isolation Building and the Pastoral Care Building, the buildings **BE DOCUMENTED**, including complete photographic documentation of the building's older features, and, where possible, measured drawings be prepared of the original layout, as can be discerned, where such drawings do not exist;
 - C) the main entrance and façade, including the limestone materials of the art deco main entrance feature of the north wing of the Main Building, **BE RETAINED AND BE REUSED** in a future building to be constructed on the site;
 - D) **NO ACTION BE TAKEN** regarding the demolition of the Colborne Building at this time; it being noted that the demolition and clearance of the lands on the south side of South Street will be undertaken beginning in 2012 into 2013, and the retention of this building will not preclude the clearance of the remainder of the lands;
 - E) the Colborne Building **BE PROTECTED** until the feasibility of restoring the building can be adequately assessed through a request for proposal process; using a least-cost approach, this protection is to be accomplished by:
 - I) making the building secure, including the installation of a security system;
 - II) undertaking all necessary repairs to prevent water infiltration and to provide adequate heat and ventilation;
 - III) retaining the original doors, door and window surrounds, and fire protection equipment; and,
 - IV) removing hazardous materials, as part of the larger site remediation process, in a manner that would not preclude the adaptive re-use of the building;

- ii) for the buildings located on the north side of South Street:
 - A) **NO ACTION BE TAKEN** regarding the demolition of the War Memorial Children's Hospital at this time, noting that the London Health Sciences Centre will not be vacating the remainder of the lands on the north side of South Street until after 2014;
 - B) using a least-cost approach, the War Memorial Children's Hospital **BE PROTECTED** in the interim by:
 - I) making the building secure, including the installation of a security system;
 - II) undertaking all necessary repairs to prevent water infiltration and to provide adequate heat and ventilation;
 - III) retaining any original significant features, including the sunrooms; and,
 - IV) removing hazardous materials, as part of the larger site remediation process, in a manner that would not preclude the adaptive re-use of the building;
 - C) the LHSC and the Chief Building Official **BE ADVISED** that Municipal Council has no objection to the demolition of the c. 1950's addition to the War Memorial Children's Hospital;
 - D) a source of financing **BE IDENTIFIED** to undertake a Heritage Building Conservation Assessment in 2012 or 2013 of the Nurse's Residence and Medical School Buildings, prior to any recommendation on the future use or retention of these buildings; it being noted that no action is required at this time for the buildings located on the north side of South Street, as the London Health Sciences centre will be continuing its use of these buildings for up to two more years; and,
 - E) **NO ACTION BE TAKEN** at this time, regarding the demolition of the Nurse's Residence or Medical School Building, noting that these buildings are still occupied by LHSC, and will be vacated over the next two years.
- iii) the LHSC **BE REQUESTED** to establish and contribute to the City, an amount equal to the demolition and site remediation costs that would have otherwise been spent for the Colborne building, to be used for mothballing the building (including removing hazardous materials) and, if preservation is found to be infeasible, the subsequent demolition of the buildings;
- iv) the Civic Administration **BE DIRECTED** to identify a source of financing for mothballing the Colborne Building and War Memorial Children's Hospital Building; and,
- v) as part of the future redevelopment of the South Street lands, opportunities for interpretation, such as a park, interpretive signage, commemorative works of art, or landscape features, such as walls or pathways, **BE DEVELOPED** as a means of commemorating the history and importance of the hospital, and that, where feasible, materials salvaged from the site be incorporated into the project;
- b) on the recommendation of the City Solicitor's office, the following actions be taken with respect to LHSC South Street Campus lands:
 - i) the reports of Allan Avis, B.Arch., OAA, MRAIC, CAHP concerning the War Memorial Children's Hospital (Building No. 52) and the Colborne building (Building No. 67) **BE RECEIVED** for information; and,

- ii) upon completion of the 2012 budget process, a source of financing **BE IDENTIFIED** by the City Treasurer, in an amount estimated to be up to \$2,500,000, to contribute to the overall cost of Phase A decommissioning work to be carried out by LHSC on City lands located south of South Street in late 2012 and 2013;
- c) the Civic Administration **BE REQUESTED** to report to the Finance and Administrative Services Committee on minimizing the mothballing costs of the Colborne Building and War Memorial Children's Hospital building;

it being noted that the Planning and Environment Committee heard verbal presentations from J. M. Fleming, Director of Land Use Planning and City Planner, D. Menard, Heritage Planner and received the attached presentation from G. Belch, Corporation Counsel and a verbal presentation, including photographs, demonstrating the information provided below from A. Avis, Allan Avis Architects Inc., with respect to this matter:

Children's War Memorial Hospital:

- the south wing was built in 1922;
- the north wing was built in 1945;
- the building is built entirely of brick;
- the building has approximately 220 windows;
- there is approximately 20,000 square feet of brick exterior;
- Indiana limestone was used in the design;
- in 1978, a rooftop addition was added as a recreation area;
- the parapet below the rooftop addition has crude mortar joints;
- the stone elements are in good condition;
- the brick is questionable in some areas;
- the metal bands are painted, galvanized metal;
- advising that they removed the brick in some areas and the mortar is still in good condition;
- advising that the mortar and brick needs to be addressed in short-order or this will create more problems;
- the parapets are major structural components;
- there are single-hung windows with mutton bars;
- there is evidence of rot;
- advising that there was discussion of turning this building into affordable housing units as an adaptive re-use, but the windows would all need to be replaced;
- there are wide corridors inside the building;
- the rooms are approximately 15 feet; and,
- there is a sun-room at each end of the building.

Colborne Building:

- the building was built in 1899, with additions added in 1922 and c1920;
- this building has similar cornices and a hip roof;
- the building is 260 feet in length;
- there are approximately 156 door and window openings;
- there are areas of severe brick deterioration; however, in other areas, the bricks are in reasonable condition;
- advising that the steel lintels are causing problems with the stone work as it expands;
- the detailed metal cornices are painted;
- at the north end of the building, the roof is slate;
- at the south end of the building, the roof is asphalt;
- advising that the roof is in rough condition; and,
- advising that the corridors are 7 to 8 feet wide, with the rooms remaining 15 feet wide;

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

- M. Woodward, 142 Waterloo Street – advising that a survey of the members of the SoHo Executive expressed overwhelming support of Civic Administration’s Option #2.
- S. Bellyk, 304 South Street – advising that the art-deco portion of the wing is quite solid and is a prime candidate for renovation; advising that the art-deco is more solid than his house, which is 105 years old; and enquiring as to what the negatives to this are.
- D. McBurney, #4 – 466 South Street – expressing appreciation to everyone who worked on this initiative; and expressing support for Civic Administration’s Option #2, which is the most flexible option.
- J. Hodder, Architectural Conservancy of Ontario, London Branch – enquiring as to the maximum length of time for mothballing and how long can the two buildings be held before they are demolished.
- G. Ecker, 181 Grey Street – indicating that the staff report is straight-forward; expressing concern with the verbage about this being a “new” neighbourhood when the SoHo area is trying to pull together as a community; and advising that he would rather see the wording amended to read as an “enhancement” to the neighbourhood.
- J. O’Neil, Vice-Chair, London Advisory Committee on Heritage – advising that the original reason that the hospital is located here is because this is where the Irish and Black community lived; indicating that it was the first building for the dead and dying; advising that if you give it 10 to 15 years, it is going to be the #1 place in the city to live; expressing support for the staff recommendation; advising that this is the first place that radiation was effectively used to combat cancer in the world; expressing surprise for the recommendation to save the 1945 addition, as the builders had to cut corners with the war going on; suggesting that the Civic Administration further review this and consider saving the 1922 portion of the building; advising that the Colborne Building was the first children’s hospital in Southwestern Ontario; and indicating that if you cover the roof in solar panels you may be eligible for a government grant; suggesting that the building be used as an adaptive reuse so that you can put in what you want; indicating that the street level view is considered with new buildings in Old East being 2 or 3-storeys; and advising that the windows don’t have to be wood, but can be a material that looks like wood.

18. Property located at 1961 Cedarhollow Boulevard (Z-7979)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, based on the application of Cedarhollow Developments relating to the property located at 1961 Cedarhollow Boulevard, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 31, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands **FROM** a Convenience Commercial (CC6) Zone, which permits convenience service uses **TO** a Residential R5/Residential R6/Residential R7 (R5-3/R6-5/R7•H12•D50) Zone, to permit singles, semis, duplex dwellings, fourplex, townhouse, cluster townhouse dwellings, stacked townhouse dwellings, senior citizen apartment buildings; handicapped persons apartment buildings; nursing homes; retirement lodges; continuum-of-care facilities; emergency care establishments, with a maximum height of 12 meters and a maximum density of 50 units per hectare;

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

19. Properties located at 550 Kingsway Avenue and 572 Wonderland Road North (OZ-7946)

Recommendation: That, the application of Dr. E.D. Armogan, M.D., relating to the property located at 550 Kingsway Avenue and 572 Wonderland Road North **BE REFERRED** back to the Civic Administration to prepare a revised by-law to implement the changes discussed at the public participation meeting;

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

- L. Kirkness, on behalf of the applicant – advising that 90 letters were sent out by the City; indicating that five letters were received back, with one expressing an objection; advising that there are two bungalows on the subject property; indicating that a Chapter 10 Special Policy has been approved by the Municipal Council; indicating that Wonderland Road is to be widened in the future, noting that 52 feet will be on the applicant's side of the street which provides for an 8 foot road allowance; indicating that current traffic volumes are high; advising that there is a fenced bungalow, on the northeast corner, that the property owner runs a business out of; advising that the subject property inclines uphill from south to north; advising that it is the easterly gateway to the Oakridge Acres neighbourhood; indicating that the owner has hired a surveyor; indicating that they are following urban design guidelines by placing the building at the front of the lot; indicating that the setback is 0m; advising that the building will be located at the front of the lot with the parking lot at the back of the lot; indicating that the first plan showed the retaining wall along the street; advising that there will be parking on the corner with plantings and an ornamental retaining wall; indicating that this is a commercial perspective; advising that the Civic Administration asked for a 6m by 6m daylight triangle in which the property owner loses another parking spot; indicating that the site is being used efficiently; asking for 18 parking spots, which is two less than the required 20 parking spots; indicating that the site plan is virtually site plan approval ready; requesting a lower lot setback minimum of 0m; requesting the ornamental retaining wall setback be 0m; advising that on page 340, section (vi) is not necessary as the 30% requirement will be met; indicating that on page 340, section (ii), the front yard depth will be 0m; requesting that the landscape to open space be eliminated; advising that on page 340, section (vii) should be 18 parking spaces, not 19; advising that the parking lot is three feet higher than the adjacent single family residence; and advising that the sound from the arterial road will be more insulated. (See attached presentation.)
- B. Wade, Design, Construction, Management – indicating that the glazing on the building has been increased; advising that the number of waterfall features can be decreased; advising that there will be a landscaped barrier around the parking lot; advising that you can see the waterfall feature from Wonderland Road North; advising that the residence is at the lower elevation at the back of the proposed building and that the building has been naturally elongated to fit into the surrounding development.
- S. Kelly, 51 Coachwood / L. Van Puymbroeck, 558 Kingsway – expressing appreciation for the adjustments being made; indicating that there is no noise from cars going into or out of the storage unit facility; indicating that the two buildings are eyesores; expressing concern with carbon and safety in the parking lot; enquiring as to why 18 parking spaces are required; indicating that four parking spaces are adjacent to her backyard and would like to see this reduced; indicating that there is children's play equipment by the parking lot and she often has two young children playing in her backyard; enquiring as to how the parking lot will drain; expressing concern as she has never been told the number of people that will be going in and out in a day; and advising that there could be traffic issues.
- T. Crawford, 571 Wonderland Road North – advising that he resides across the street from the proposed development; indicating that his concerns have been addressed by the Civic Administration; expressing concern with the lights at night as they will be right across from his living room window; expressing apprehension with respect to the noise from the waterfall; advising that traffic is already a problem; and indicating that the hours of operation can be a problem if the business is operated in the evening.
- V. Shinde, 547 Wonderland Road North – indicating that she is a potential owner; advising that she was a tenant when the storage rental building was installed; advising that she has seen very garish buildings built; advising that this building is going to elevate the area and be part of

the community; advising that the building is going to be aesthetically pleasing and that the waterfall is quiet; adding that it adds a bit of nature back to the area; advising that there will only be five or six patients seen at one time; and indicating that it is not a noise-based business.

20. Holding Provisions - Section 3.8 of Zoning By-law Z-1 (Z-7973)

Recommendation: That, on the recommendation of the Managing Director, Development Approvals Business Unit and the Director, Development Planning, based on the City initiated application relating to Section 3 of the Z-1 Zoning By-law, the revised, attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 31, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to amend:

- a) Section 3.8 "Holding Zones" to permit conditional permits for model homes to be issued in conformity with Section 4.5 (2) of the Z-1 Zoning By-law prior to the removal of "h" holding provision;
- b) Section 4.5 2) to clarify that site servicing may be permitted for model homes subject to any requirements of the Chief Building Official and to clarify the number of model home permits which may be considered; and,
- c) the "h-100" holding provision to provide additional clarity to the Chief Building Official on the number of units which may be constructed prior to the removal of this holding provision;

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

21. The Piccadilly Area Neighbourhood and Application by Montessori School House of Children re property located at 719 Waterloo Street (O-7980/Z-7686)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the applications of the City of London and the Montessori School House of Children relating to the Piccadilly Area Neighbourhood and the property located at 719 Waterloo Street:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 31, 2012, to amend the Official Plan by **ADDING** a special policy in Chapter 10 – "Policies for Specific Areas" to limit the expansion of private schools and the establishment of new private school uses, to those properties within the Piccadilly Area Neighbourhood that are zoned for private schools on the date of adoption of the Official Plan Amendment, and to 701/703 Waterloo Street, 719 Waterloo Street, 311 Oxford Street East, and 711 Colborne Street;
- b) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 31, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 719 Waterloo Street **FROM** a Residential R2 (R2-2) Zone, which permits single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings (maximum 2 dwelling units), **TO** a Residential R2 Special Provision/Neighbourhood Facility Special Provision (R2-2(2)/NF1()) Zone, to permit single detached, semi-detached, duplex and converted dwellings, elementary schools, churches, community centres, day care centres, libraries, and private schools, with special provisions to permit an expansion of up to a maximum of 10% of the gross floor area of the existing building, and a south interior side yard of "zero" metres;
- c) the Site Plan Approval Authority **BE DIRECTED** to hold a public site plan meeting and to consider any traffic safety and maneuverability issues relating to 719 Waterloo Street, during the site plan review process;

- d) the request to amend Zoning By-law No. Z.-1 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, converted dwellings (maximum 2 dwelling units), **TO** a Residential R2 Special Provision/Neighbourhood Facility Special Provision (R2-2(2)/NF1()) Zone, to permit, in addition to the already permitted uses, elementary schools, churches, community centres, day care centres, libraries, private schools, fire stations, private clubs, and police stations, limiting the aggregate number of student and day care places at 719 Waterloo Street, combined with student and day care places at 711 Waterloo (the current Montessori site), to a maximum of 180, and permitting only existing buildings to be used, but allowing an expansion of up to a maximum of 10% of their gross floor area, **BE REFUSED** for the following reasons:
- i) it is appropriate to eliminate fire stations, private clubs and police stations;
 - ii) the proposed special provision to cap the number of students in an effort to control further impacts on amenity, character and function cannot be easily or readily investigated or enforced; and,
 - iii) the proposed special provision at 719 Waterloo Street cannot be legally enforced against 711 Waterloo Street.
- e) the Civic Administration **BE DIRECTED** to initiate a Zoning by-law amendment to the Neighbourhood Facility (NF1) Zone, applicable to 711 Waterloo Street, to limit the permitted uses to elementary schools, churches, community centres, day care centres, libraries, and private schools, eliminating fire stations, private clubs and police stations from the list of permitted uses;
- f) the Civic Administration **BE DIRECTED** to continue to work with the Montessori School House of Children, the Piccadilly Area Neighbourhood Association (PANA) and the area landowners, to evaluate and decide on the best option to improve the traffic situation, including alternative drop-off locations, traffic patterns, signage and enforcement;
- g) the Civic Administration **BE DIRECTED** to conduct a neighbourhood planning study for the Piccadilly Area Neighbourhood to address a variety of broader community issues, including traffic, parking, heritage conservation, non-residential uses, and residential intensification, and that the Civic Administration include the study within the Planning Division's mid to long-term work program; and,
- h) the Civic Administration **BE DIRECTED** as part of the review of the design of the west end of Piccadilly Park, to review the potential parking and drop-off area and to review the potential installation of a parking area and drop-off on Kenneth Avenue and Wellington Street for the Montessori School;

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

- A. R. Patton, Patton Cormier & Associates, on behalf of Mrs. Whitley, Montessori and R. Zelinka – advising that Montessori has been operating as an educational institution since 1968; indicating that he is anxious to resolve the zoning by-law for 719 Waterloo Street; expressing support for pages 380 and 381 of the January 16, 2012 Planning and Environment Committee Agenda; advising that the application has been in the process for over two years; advising that Montessori is anxious to meet the needs of its students; advising that there is no need to defer the decision; expressing support with the staff comments listed on page 366 of the Planning and Environment Agenda relating to the section entitled “Neighbourhood Solutions”; indicating that there are no issues in the Official Plan process that would compromise dealing with the property located at 719 Waterloo Street; expressing support for the site plan located on page 365 of the Planning and Environment Committee Agenda; advising that there will be no changes made to the building, the

driveway or the street access; indicating that it is not necessary to have a public site plan meeting for the property located at 719 Waterloo Street; indicating that it is clear from the Civic Administration's comments that the Piccadilly Area Neighbourhood Association has not been destabilized and requesting that the zoning by-law included on pages 182 to 184, inclusive, on the Planning and Environment Agenda, be passed.

- A. Woodson, Executive Director, Piccadilly Area Neighbourhood Association (PANA) – advising that she has reviewed the staff report; expressing appreciation with the meeting with staff; supporting the R2 Zoning and the R2-NF1 Zone; expressing concern with the wording at the beginning of staff recommendation c); requesting that a public site plan be required; requesting that a cap be placed on the number of students allowed in all of the buildings; advising that Montessori has several locations; advising that there is an application to turn the properties located at 701 and 703 Waterloo Street into private schools; advising that there are three day cares in the neighbourhood; requesting that the Civic Administration be directed to work with PANA; requesting that a neighbourhood study be conducted; enquiring as to whether or not additional parking is being required; expressing concern with the proposed indoor connection; expressing surprise by the comments of the Transportation Division; advising that she is willing to share videos of traffic congestion; advising that traffic issues are also caused by the day care centres in the neighbourhood; advising that the main issues are traffic and parking; requesting that the application be deferred until solutions are found for traffic and parking issues; and expressing support for a continued dialogue.
- M. Cooney, 67 Barrydale Crescent – advising that he is a parent with three kids that attend the Montessori School; indicating that he works in Strathroy; advising that at 3:30 p.m., he drove past Wilfred Jury Public School and was delayed, he went through Orchard Park and was also delayed, then he was stopped by a train and was late picking up his kids; and requesting that something be done about people backing up traffic between 8:30 a.m. to 9:00 a.m. and 3:30 p.m. to 4:00 p.m.
- D. Santarella, 38 Kenneth Avenue – advising that he has worked closely with the Planning Division staff and is open to solutions; advising that there are several issues, such as traffic problems and losing the neighbourhood; indicating that people are spending thousands of dollars on their properties; expressing support for the use of transit and the decrease of automobile use; advising that they live with the problems that comes with living in the core area; promoting an urban lifestyle; advising that there are traffic problems at schools; enquiring as to how many people that live in the neighbourhood have children who attend Montessori; advising that Montessori is a successful school; advising that Montessori's cap is 180 students and they now have 225 students enrolled; expressing wariness for future uses; enquiring as to how the school is going to expand; advising that Waterloo Street and Kenneth Lane are one lane streets; advising that Montessori currently has 10 parking spaces but that parents don't use the parking spaces; indicating that Montessori parents block driveways; indicating that his pregnant wife was unable to get out of the driveway the day before she gave birth; advising that students are residents of London and bring opportunities; advising that he had no issues with the frat house that was previously located on this site; advising that a majority of people like to see residential development; asking for specific boundaries that won't change; enquiring as to what happens to the properties across the street; advising that this won't be a residential area any more; advising that on Kenneth Avenue, out of 12 homes, four have families in them; advising that the goal is to keep this a family neighbourhood; advising that the major concern is that Montessori wanted to build a junior high school and Montessori went beyond what was agreed to by the Neighbourhood Association; advising that Montessori doesn't have a play area and uses the public park; indicating that he can't get on his street; advising that he pays a premium to live in the core; and advising that he is not asking Montessori to give up anything, just asking that they respect the neighbours.
- C. Martin, 735 Waterloo Street – advising that he is on the Executive of the Piccadilly Area Neighbourhood Association; advising Mr. Patton that there has been no destabilization of the neighbourhood; requesting that

residents can thrive in their community; and requesting for a delay to meet with Montessori School representatives and city staff.

- P. Noad, 62 Glenview Crescent – advising that there are mixed messages being received at the public meeting; and indicating that residents want businesses to thrive, but don't want it to be a school in their neighbourhood.
- E. Bothwell, 30 Shady Lane – advising that she is a parent who volunteers at Montessori and that the school uses the city park for the children to play at; advising that the school gives back to the community; indicating that the school fundraises for the park; advising that raccoons were living in the frat house and there were beer bottles on the lawn; advising that she volunteers in the school; advising that the school is creative in what it has done; and advising that the school works well with what it has.
- M. Whitley, Montessori – advising that there are less than 150 students enrolled at the locations being discussed at this meeting; advising that the school has never exceeded 180 students; advising that most residential communities have schools in them; and that over 50 children in the downtown and Old North walk or bike to Montessori.
- P. Piitas, 311 Piccadilly Street – advising that he has lived in his residence for 50 years and that it is a beautiful neighbourhood; advising that he has never had a problem with traffic; indicating that people have advised of a problem with Montessori school traffic; indicating that the house on the corner was previously a frat house and people had to call the police all the time and there were a lot of problems; and advising that Montessori keeps the property beautiful with plants and flowers.

22. Property located at 567 Rosecliffe Terrace (former address: 633 Commissioners Road West) (39CD-09509)

Recommendation: That, the following actions be taken in response to the December 7, 2011 Municipal Council resolution directing the Development Approvals Business Unit to process and circulate the revised application for a Zoning By-law Amendment, Draft Plan of Vacant Land Condominium and Site Plan Approval on property located at 567 Rosecliffe Terrace (formerly 633 Commissioners Road West) and Blocks 66 and 73, Plan 33M-119:

- a) the Ontario Municipal Board **BE ADVISED** that a geotechnical study, hydrogeological evaluation, conceptual grading plan, storm drainage/stormwater management study and tree preservation reports have been received by the City, circulated for public review, evaluated and considered at a public participation meeting held on January 16, 2012;
- b) the Ontario Municipal Board **BE ADVISED** that the Municipal Council recommends to the Board that the revised conditions of Draft Plan Approval, attached as Appendix "A", form the basis for draft approval and will satisfactorily address the issues previously raised with this development application; and,
- c) any additional reports, comments and information received with the revised application, at the meeting on January 16, 2012, **BE PROVIDED** to the Ontario Municipal Board for consideration;

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

- A. R. Patton, Patton, Cormier & Associates – advising that the Ontario Municipal Board was well through the hearing on this matter when the matter was adjourned by the inclusion of an outside planning consultant provided by the City; advising that they worked through the draft plan of subdivision; indicating that the condominium plan appealed to the Ontario Municipal Board is different from what is before the Planning and Environment Committee tonight; advising that the plan that was before the Ontario Municipal Board had the following three differences; (1) instead of a bulb at the north end, there was a hammerhead; (2) the number of units was reduced from 22 to 21; and (3) the City determined that the second access was not necessary (from Baseline Road);

indicating that the City of London Realty Services Division does not need the 66 foot road allowance, and asked if Mr. Patton's client would purchase 33 feet as the two neighbours would like to buy their 33 feet; indicating that the price was fair, so his client purchased the 33 feet; advising that the units along the north end have been changed to show the bulb configuration and the 33 feet that now belong to lots 15 and 16; enquiring as to whether or not the changes to the plan of condominium are minor; advising that the 33 feet to the north will provide a large amenity area and one less unit; advising that the road grades meet the specifications of the Roads and Transportation Division; Mr. Patton recited sections 15, 16 and 17 of Appendix "A" of the Staff Report relating to the Approval Authority's conditions and amendments to final approval for registration of this plan of condominium, File No. 39CD-09509; advising that the Planner, T. Grawey, is amenable to the amendments Mr. Patton provided; advising that it is not necessary to the City to have a public road, and convert back to Ardshell; advising that when the Ontario Municipal Board hearing resumes on Thursday, January 19, 2012, Mr. Halwa's evidence will be completed; advising that the Ontario Municipal Board will want to hear the Planning and Environment Committee's comments from this meeting; indicating that the site plan application has no adverse effects on the adjoining property; indicating that the development could have been more intense; indicating that his client retained a number of experts; expressing approval for this plan; advising that this has been a long process and was thrown off track by the positions previously taken by the Municipal Council; advising that on the drawing on page 407, the common elements are the retaining walls; indicating that the Ontario Municipal Board will not have the benefit of the Municipal Council decision, but will have the Planning and Environment Committee decision; advising that when the date of January 19, 2012, was set at the Ontario Municipal Board hearing in August, 2010, they thought that the Ontario Municipal Board would have the decision of the Municipal Council.

- Mr. Sheppard, 20 – 665 Commissioners Road West – advising that he lives west of the subject property; expressing concerns from the beginning; advising that the Civic Administration has a copy of his letter; expressing concern with the drainage and overland flow of water; advising that the original plan had a hammerhead design; indicating that this plans deals a bit with this issue; enquiring as to the capacity of the drainage flow that can be handled; indicating that there was no tree preservation report at the Ontario Municipal Board hearing; expressing appreciation hearing about the tree plantings; advising that their condominium units are all single level units on the same topographical level; advising that this property should be compared with their condominium level rather than others due to the different topographical levels; requesting that this development be restricted to single levels; requesting that people take a good look, go down to 545 Rosecliffe Terrace and look at the adjoining properties; requesting that the application not be approved; expressing hope that everything carries on at the Ontario Municipal Board hearing; and advising that he has not been advised that the Ontario Municipal Board hearing will be resuming.
- R. Ambrose, 547 Rosecliffe Terrace – advising that she has not been advised of a retaining wall and enquiring as to the height of the wall and the type of material to be used; advising that they were given a small plan that is unreadable; enquiring that if a retaining wall is to be put in, are trees to be removed; advising that a tree fell on their house this summer and they sustained thousands of dollars damage and they had to move out of their home for five weeks.
- M. Albrecht, 10 – 665 Commissioners Road West – advising that their condominium consists of 27 units; requesting that the proposed condominium remain a single level development; advising that the City is making a big mistake as this property has a lot of wildlife living on it; and advising that the City should be ashamed of themselves.
- M. Shahabi, 539 Rosecliffe Terrace – advising that their lots have 60 feet of frontage; indicating that a tree fell on their neighbours house this summer; advising that some of the trees are damaged; and advising that kids hang out and drink in this lot.
- H. Williams, 575 Rosecliffe Terrace – advising that the largest tree in the area is on the border of her property; indicating that she hired a

professional to determine the health of this tree; advising that the area around the retaining wall is not sufficient to protect the tree and that the tree has a high probability of dying; enquiring as to whose expense it is going to be at; advising that S. Evans spoke to her about the retaining wall being on the drip line; advising that she is disappointed by the lack of communication with the developer; advising that the developer has no regard for the neighbours; and requesting that the trees that are remaining, be preserved.

- S. Warmuth, 516 Jarvis Street – advising that to the west of this development is a cluster of single-detached dwellings; enquiring as to what on the proposal is to be planted; enquiring as to why there are no plantings in the northwest corner of the development; advising that the height of the buildings is crucial; advising that a two-story building does not sound so bad; however, it depends on the starting elevation; requesting consideration of further height restrictions; and enquiring as to whether a two-story, includes a walkout.
- D. Ambrose, 547 Rosecliffe Terrace – advising that this property is a bottomed-out pit that has been referred to by developers as a nightmare; advising that there will be retaining walls around the entire development; indicating that there are serious water draining problems; advising that he has lived there for 26 years; advising that the area is completely surrounded by residences; indicating that all wildlife will be forced off that land and enquiring as to where they are going to go when the developer moves in; advising that the residents have looked after the city property and the building lot for 26 years and does not see why it needs to disappear; indicating that the entrance should be at 633 Commissioners Road; advising that Rosecliffe cannot handle all of the traffic; requesting that the tree situation be taken into account; advising that we are supposed to be the “Forest City” and the developer is ripping out trees to put in 21 condominiums.

23. Parcel of Land Bounded by Longwoods Road, Murray Road, Colonel Talbot Road and Highway 402

Recommendation: That, the Planning and Environment Committee (PEC) reviewed and received a communication, dated December 19, 2011, from S. Farhi, Farhi Holdings Corporation, with respect to a parcel of land bounded by Longwoods Road, Murray Road, Colonel Talbot Road and Highway 402. The PEC referred the communication to the Civic Administration for consideration with the Official Plan review currently being undertaken.

24. Zoning By-law Amendment Application – 783 Richmond Street

Recommendation: That, the Planning and Environment Committee (PEC) reviewed and received a communication, dated December 20, 2011, from A. Patton, Patton, Cormier & Associates, with respect to the application of 1152587 Ontario Limited, relating to the property located at 783 Richmond Street. The PEC advised the Civic Administration that it does not understand the need for the requirement of a parking study for this application.

25. Membership of the Planning and Environment Committee

Recommendation: That, the Planning and Environment Committee reviewed and received a Municipal Council resolution adopted at its meeting held on November 21, 2011 with respect to the membership of the Planning and Environment Committee, for the term ending November 30, 2012.

26. Application to the Ontario Superior Court of Justice - Court File No. 2263/2010

Recommendation: That, on the recommendation of the City Solicitor, the report provided to the Planning and Environment Committee at its meeting held on Monday, January 16, 2012, regarding the endorsement of the Ontario Superior Court of Justice, issued December 16, 2011 in connection with the costs related to the application in respect of By-law No. C.P.-19, the Residential Rental Units Licensing By-law, **BE RECEIVED**.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. CONFIDENTIAL

(See Confidential Appendix to the 3rd Report of the Planning and Environment Committee enclosed for Members only.)

The Planning and Environment Committee convened in camera from 11:36 p.m. to 11:39 p.m., after having passed a motion to do so, with respect to the following matter:

C-1 A matter pertaining to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to the appeal of London Property Management Association to the Court of Appeal for Ontario from the Judgment of Madam Justice Leitch released September 30, 2011 upholding By-law C.P.-19 and the Endorsement on Costs of Madam Justice Leitch released on December 16, 2011.

VII. ADJOURNMENT

The meeting adjourned at 11:40 p.m.