

9TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on April 7, 2015, commencing at 4:00 PM, in the Council Chambers, Second Floor, London City Hall.

PRESENT: Councillor P. Hubert (Chair) and Councillors M. Cassidy, J. Helmer, P. Squire and S. Turner and H. Lysynski (Secretary).

ALSO PRESENT: Councillors A. Hopkins, J. Morgan, V. Ridley, M. Salih and M. van Holst and G. Barrett, J. Braam, P. Christiaans, K. Dawtrey, M. Elmadhoon, J.M. Fleming, S. Galloway, K. Gonyou, T. Grawey, P. Kokkoros, G. Kotsifas, A. MacLean, A. Macpherson, D. Munteer, C. Parker, J. Ramsay, M. Ribera, C. Saunders, C. Smith, M. Tomazincic, J. Yanchula and P. Yeoman.

I. CALL TO ORDER

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

II. CONSENT ITEMS

2. 4th Report of the Environmental and Ecological Planning Advisory Committee

That the 4th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on March 19, 2015, BE RECEIVED.

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

3. 3rd Report of the Trees and Forests Advisory Committee

That the 3rd Report of the Trees and Forests Advisory Committee from its meeting held on March 25, 2015 BE RECEIVED.

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

4. 2nd Report of the Agricultural Advisory Committee

That the 2nd Report of the Agricultural Advisory Committee from its meeting held on March 18, 2015, BE RECEIVED.

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

5. Evaluation of Community Improvement Plan Incentives

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the evaluation of Community Improvement Plan incentives:

- a) the report dated April 7, 2015, from the Managing Director, Planning and City Planner, with respect to the evaluation of Community Improvement Plan incentives, BE RECEIVED;
- b) the Civic Administration BE DIRECTED to report back at a future meeting of the Planning and Environment Committee with a comprehensive review of the City's existing Community Improvement Plans and associated incentives and to evaluate the potential for adding more Community Improvement Plans and associated incentives; and,

- c) the Civic Administration BE DIRECTED to report back at a future meeting with preliminary information for the multi-year Budget;

it being noted that this review will consider the cost and value of existing incentives, and the potential for re-allocating funding associated with one or more of these programs to best meet Council's strategic priorities. (2015-D19)

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

6. Advisory Committee on the Environment Recommendations on the Provincial Pollinator Health Discussion Paper

That, on the recommendation of the Managing Director, Planning and City Planner, the comments, appended to the staff report dated April 7, 2015, from the Advisory Committee on the Environment, as amended by the Agricultural Advisory Committee, BE FORWARDED to the Province's Pollinator Health Discussion process. (2015-E11)

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

7. "Our Move Forward" London's Downtown Plan

That, on the recommendation of the Managing Director, Planning and City Planner, in response to Municipal Council resolutions adopted at its meetings held on February 9, 2015 and March 10, 2015, respectively, the following actions be taken with respect to Our Move Forward: London's Downtown Plan:

- a) the revised Our Move Forward: London's Downtown Plan, as appended to the Planning and Environment Committee Added Agenda dated April 7, 2015, BE ADOPTED as a Guideline Document pursuant to Section 19.2.2 of the Official Plan as Municipal Council's strategy for future public and private investment in London's Downtown; and,
- b) the proposed by-law, as appended to the staff report dated April 7, 2015, BE INTRODUCED at the Municipal Council meeting to be held on April 14, 2015, to amend the Official Plan for the City of London Section 19.2.2 ii) (Secondary Plans and Guideline Documents/Guideline Documents) by adding Our Move Forward: London's Downtown Plan as a guideline document. (2015-D08)

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

8. Building Division Monthly Report for February 2015

That the Building Division Monthly Report for February 2015, BE RECEIVED. (2015-D00)

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

III. SCHEDULED ITEMS

9. Delegation of Authority to Consent to or Grant Permits for Alterations to Heritage Designated Properties

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the delegated authority to consent to or grant permits for alterations to heritage designated properties:

- a) the proposed by-law, as appended to the staff report dated April 7, 2015, relating to the delegated authority to consent to or grant permits for alterations to heritage designated properties BE INTRODUCED at the Municipal Council meeting to be held on April 14, 2015; and,
- b) the Approval authority for Heritage Alteration Permit applications, consistent with the Conditions for Referral as described in the proposed by-law, as noted in clause a), above, BE DELEGATED to the City Planner;

it being further pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2015-R01)

Voting Record:

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, S. Turner (4)

NAYS: P. Squire (1)

Motion to open the public participation meeting.

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

Motion to close the public participation meeting.

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

Motion to recess at 7:07 PM

Motion Passed

YEAS: P. Hubert, J. Helmer, P. Squire (3)

NAYS: M. Cassidy, S. Turner (2)

10. Property located at 161 Windermere Road

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Susan Dejong c/o Tridon Group Ltd., relating to the property located at 161 Windermere Road:

- a) the Municipal Council BE ADVISED that this Zoning By-law amendment application (Z-8167) has been appealed to the Ontario Municipal Board by Fred Tranquilli of Lerner's LLP, on behalf of the applicant on the basis of non-decision by the Municipal Council within 120 days of receipt of a complete application;
- b) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the Zoning By-law No. Z.-1 BE AMENDED, (in conformity with the Official Plan), FROM a Residential R1 (R1-9) Zone, which permits single detached dwellings on lots with a minimum lot frontage of 18 m and a minimum lot area of 690 m² TO an Open Space (OS5) Zone, which permits conservation lands and passive recreational uses and a Holding Residential R6 Special Provision(h*h-5*h-35*h-41*R6-1 ()) Zone, which permits cluster housing in the form of single detached dwellings with a maximum five (5) units with holding provisions to ensure that a development agreement is entered into with the City, a public site plan meeting be held when the site plan is brought forward, that the building located at 161 Windermere Road and identified by the City as historically significant be actively pursued for designation under the *Ontario Heritage Act* and measures are implemented to ensure that the natural feature is not negatively impacted;

- c) 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 Residential R1 (R1-9) Zone and an Open Space (OS5) Zone TO a Residential R6 (R6-4) Zone, which permits cluster housing in the form of single detached dwellings, semi-detached dwellings and duplexes at a maximum density of 30 units per hectare (12 units per acre) and an Open Space Special Provision (OS5 ()) Zone, to permit passive recreational structures (such as a gazebo, benches, chairs, fire/bbq pit, etc.) within these lands BE REFUSED for the following reasons:
- this permits an intensity and form of development that is not in keeping with the abutting existing residential uses; and,
 - activities requested in the Open Space Special Provision zone will not protect the Medway Valley Heritage Forest Environmentally Significant Area;
- d) the City Solicitor BE DIRECTED to provide legal and planning or expert witness representation at the Ontario Municipal Board hearing in support of the Municipal Council's position; and,
- e) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the Municipal Council be provided the opportunity to determine the zoning as per the recommendation in the above-noted clauses b) and c);

it being noted that the Municipal Council strongly supports the adherence to the conditions of the holding provisions; and,

it being further noted that the Planning and Environment Committee received the attached presentation from W. Pol, on behalf of the Corley Drive community and a verbal delegation from P. Hinde, Land Use Planner, Tridon Group Ltd., with respect to these matters. (2015-D09/L01)

Voting Record:

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

Motion to include a part e) which reads "that the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the Municipal Council be provided the opportunity to determine the zoning as per the recommendation in the above-noted clauses b) and c);"

Motion Passed

YEAS: M. Cassidy, J. Helmer, P. Squire, S. Turner (4)

NAYS: P. Hubert (1)

IV. ITEMS FOR DIRECTION

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

11. Planning and Environment Committee Deferred Matters List

That the following actions be taken with respect to the Planning and Environment Committee Deferred Matters List:

- a) the Deferred Matters List BE UPDATED and items that have been addressed by the Civic Administration BE REMOVED;
- b) the wording for Item 16, the EIS Monitoring BE AMENDED to include the follow up information and to change the status to "monitoring report due in Q3 2015."; and,

- c) the Deferred Matters List BE PLACED on the April 20, 2015 Planning and Environment Committee (PEC) Agenda and then be placed on the PEC Agendas quarterly thereafter.

Motion Passed

YEAS: P. Hubert, M. Cassidy, J. Helmer, P. Squire, S. Turner (5)

- 12. Possible Amendments to the Tree Conservation By-law and Site Alteration By-law

That Planning and Legal Staff BE DIRECTED to make it a high priority on their work program to review and, as necessary, bring forward changes to the Tree Conservation By-law and the Site Alteration By-law, as soon as possible.

Motion Passed

YEAS: P. Hubert, M. Cassidy, P. Squire, S. Turner (4)

NAYS: J. Helmer (1)

VI. CONFIDENTIAL

(See Confidential Appendix to the 9th Report of the Planning and Environment Committee enclosed for Members only.)

The Planning and Environment Committee convened in camera from 7:30 PM to 7:38 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 of Susan Dejong c/o Tridon Group Ltd., relating to the property located at 161 Windermere Road.

VII. ADJOURNMENT

The meeting adjourned at 7:49 PM.