

4TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on February 6, 2012, commencing at 4:04 PM, in the Council Chambers, Second Floor, London City Hall.

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

ABSENT: Councillor J.P. Bryant

ALSO PRESENT: Mayor J. F. Fontana, Councillors D. Brown and H.L. Usher, D. Ailles, J. Braam, J. Buchanan, P. Christiaans, A. Dunbar, M. Elmadhoon, J.M. Fleming, B. Henry, P. Kokkoros, G. Kotsifas, B. Krichker, J. Leunissen, A. Macpherson, S. Mathers, L. McDougall, N. McKee, D. Menard, J. O'Neil, B. Page, C. Saunders, D. Sheppard, C. Smith, M. Tomazincic and J. Yanchula.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That Councillor Henderson disclosed a pecuniary interest in clause 4 of this Report, relating to the property located at 550 Kingsway Avenue and 572 Wonderland Road North, by indicating that he has an office on Kingsway Avenue.

II. CONSENT ITEMS

2. 2nd Report of the Advisory Committee on the Environment

Recommendation: That the 2nd Report of the Advisory Committee on the Environment, from its meeting held on January 10, 2012, **BE NOTED**.

3. 1st Report of the Agricultural Advisory Committee

Recommendation: That the 1st Report of the Agricultural Advisory Committee, from its meeting held on January 11, 2012, **BE NOTED**.

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

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Dr. E.D. Armogan, M.D., relating to the properties located at 550 Kingsway Avenue and 572 Wonderland Road North:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on February 21, 2012, to amend the Official Plan, to change the existing "Low Density Residential" designation of the subject lands by **ADDING** a special policy in Chapter 10 – "Policies for Specific Areas" to permit a professional office and a medical/dental office in a new building, together with one dwelling unit;
- b) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on February 21, 2012, 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 Residential R1 (R1-9) Zone, which permits single detached, semi-detached and duplex dwellings as the main permitted uses, **TO** a Restricted Office Special Provision (RO ()) Zone, to permit one professional office and one medical/dental office in a new building, together with one dwelling unit, with the front lot line defined as Wonderland Road North, a minimum front yard depth of 0 metres (0 feet), a maximum front yard depth of 1.8 metres (5.91 feet), a minimum interior side yard depth of 0 metres, a maximum interior side yard depth of 1.0 metres (3.28 feet), a minimum of 18 parking spaces, and a minimum setback of the parking area, from the required road allowance, of 0 metres (0 feet);

- c) based on the concept design provided to the Urban Design Peer Review Panel and the Panel's recommendations, the Site Plan Approval Authority **BE REQUESTED** to consider the following matters through the site plan process:
- i) the proposed building be similar in massing and design to the site concept and elevations provided in the Urban Design Brief received July 15, 2011;
 - ii) a presence on the street be created by siting the building close to the north-east corner of the property or increasing the height of parking area masonry retaining wall and implementing a design that will permit select views of the building from the abutting sidewalk on Kingsway Avenue;
 - iii) provide dual entry to the residential unit to provide a residential doorway facing Wonderland Road North;
 - iv) increase the proportion of glass used in the Wonderland Road North facade and shorten the length of the water feature accordingly, in order to improve the street presence;
 - v) consider the re-use of rainwater for the water feature;
 - vi) consider the use of pervious pavement to provide additional on-site environmental management benefit;
 - vii) ensure the detailed landscape plan and building design addresses implications on the street presence of the site, if Wonderland Road North is widened in the future; and,
 - viii) design the building or the retaining wall, as applicable, to provide sufficient daylighting at the street corner, to address sight line concerns;
- d) pursuant to section 34(17) of the *Planning Act*, no further notice **BE GIVEN** with respect to the proposed bylaw as:
- i) the notice of application identified that additional or different provisions may be identified during the review process;
 - ii) the proposed changes from the original request are minor or technical, or bring additional clarity to the intent to combine a residential unit with an office use in a new building; and,
 - iii) the proposed changes were discussed at a Public Participation Meeting regarding this matter, held on July 16, 2012 before the Planning and Environment Committee;
- e) the request to amend the Official Plan, by **ADDING** a policy to Chapter 10 - "Policies for Specific Areas" to permit a medical office and a residential apartment dwelling unit, **BE REFUSED** for the following reasons:
- i) the new policy must also refer to professional offices in order for the requested Restricted Office Zone to comply with the intent and purpose of the Official Plan; it being noted that the use of professional offices is appropriate;
 - ii) the new policy must refer to medical/dental offices as they are typically dealt with as a single type of use in the Official Plan and are not defined separately in By-law No. Z.-1;
 - iii) the new policy should permit the office use only in conjunction with one dwelling unit to provide for a transition in use; and,
 - iv) the new policy should require the residential dwelling to be incorporated into the building that will house the office;
- f) 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, which permits single detached, semi-detached and duplex dwellings as the main permitted uses, **TO** a Restricted Office Special Provision (RO()) Zone to permit professional offices, a medical office and a residential apartment, and to allow a reduced front yard from 8 m to 1.8 m, a reduced interior side yard from 3.6 m to 1.2 m, a reduced landscaped open space coverage from 30% to 26%, and a reduced number of parking spaces from 20 to 19 spaces, **BE REFUSED** for the following reasons:

- i) the defined use in the zoning by-law is a “medical/dental office” which is recommended to be applied, rather than defining separate new uses, as both are appropriate for this location;
- ii) a different range of special provisions are required to address the desired location of the building on the site;
- iii) the new zoning should permit the office use only in conjunction with one dwelling unit, to provide for a transition in use; and,
- iv) the new zoning should require the residential dwelling to be incorporated into the building that will house the offices, rather than allowing multiple buildings on the site. (2012-D11-01)

5. Property located at 1240 Richmond Street (Z-7949)

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 24, 2011 and submitted by B.R. Card, on behalf of Linda Anne Brand, regarding Zoning By-law application No. Z-7856, relating to the property located at 1240 Richmond Street, 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. (2012-D11-01)

6. BMX Bicycle Sports Strategy

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, with the concurrence of the Director of Neighbourhood and Children Services and the Director, Parks and Recreation, the Civic Administration **BE DIRECTED** to develop a BMX Bicycle Sports Strategy to address the demonstrated recreational need and the issues of environmental degradation by BMX cycling. (2012-D14-00)

7. Property located at 312 Sunningdale Road West (H-7998)

Recommendation: That, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit, based on the application of Corlon Properties Inc., relating to the property located at 312 Sunningdale Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on February 21, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 312 Sunningdale Road West **FROM** a Holding Residential R1 (h. h-56 h-100. R1-6) Zone, a Holding Residential R1 (h. h-56 h-100. R1-9) Zone and a Holding Compound Residential R5/R6 (h. h-53 h-100. R5-2/R6-4) Zone **TO** a Residential R1 (R1-6) Zone, a Residential R1 (R1-9) Zone and a Holding Compound Residential R5/R6 (h-53 R5-2/R6-4) to remove the h., h-56 and h-100 holding provisions from the Residential R1 Zones and to remove the h., and h-100 holding provisions from the R5/R6 Zones. (2012-D11-02)

8. Property located at 1647 Fanshawe Park Road East (39T-10503/Z-7785)

Recommendation: That, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, in response to the letters of appeal to the Ontario Municipal Board, dated July 21, 2011 and November 23, 2011, as submitted by A.R. Patton, Patton, Cormier & Associates, on behalf of 756949 Ontario Limited c/o Global Vision Investments, relating to an application to amend Zoning By-law No. Z.-1 and the Draft Plan of Subdivision regarding the property located at 1647 Fanshawe Park Road East, the following actions be taken:

- a) the Ontario Municipal Board **BE ADVISED** that the Municipal Council has reviewed its position relating to this matter and sees no reason to alter it; and,
- b) the City Solicitor **BE DIRECTED** to take the necessary steps to respond to the Appeals to the Ontario Municipal Board in support of Council’s position and may retain outside expert witnesses. (2012-D11-07)

9. Properties located at 186-188 Huron Street and 2 Audrey Street

Recommendation: That, on the recommendation of the Director of Development Planning, and the Manager of City Planning and Research, in response to the letter of appeal to the Ontario Municipal Board, dated January 5, 2012, as submitted by B.R. Card, on behalf of KAP Holdings Inc., relating to the consent application for the properties located at 186-188 Huron Street and 2 Audrey Street, the following actions be taken:

- a) the Ontario Municipal Board **BE ADVISED** that the Municipal Council supports the Provisional Decision conditions imposed by the Consent Authority; and,
- b) the City Solicitor's Office, the Development Approvals Business Unit and the City's Planning Division **BE DIRECTED** to provide legal and planning representation at the Ontario Municipal Board Hearing to support the position of the Consent Authority;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated February 2, 2012, from B.R. Card, with respect to this matter. (2012-D11-04)

10. Building Division Monthly Report for December 2011

Recommendation: That the Building Division Monthly Report for December, 2011 from the Director of Building Controls **BE RECEIVED**. (2012-D05-00)

III. SCHEDULED ITEMS

11. 1st Report of the Trees and Forests Advisory Committee

Recommendation: The following actions be taken with respect to the 1st Report of Trees and Forests Advisory Committee (TFAC), from its meeting held on January 25, 2012:

- a) the Civic Administration **BE ADVISED** that the Trees and Forests Advisory Committee (TFAC) does not support the reduction of the Street Tree Planting Program or the Woodlot Management Program funds and the resulting reduction in customer service;
- b) the Civic Administration **BE REQUESTED** to provide the TFAC with an electronic copy of the final Emerald Ash Borer Management Strategy;

it being noted that the TFAC reviewed and received a Municipal Council resolution adopted at its meeting held on December 6 and December 7, 2011 with respect to this matter; and,

- c) that clauses 2 through 11, inclusive, **BE RECEIVED**;

it being noted that the Planning and Environment Committee heard a verbal delegation from D. Sheppard, Member, TFAC, with respect to these matters.

12. 2nd Report of the Environmental and Ecological Planning Advisory Committee

Recommendation: The following actions be taken with respect to the 2nd Report of Environmental and Ecological Planning Advisory Committee (EEPAC), from its meeting held on January 19, 2012:

- a) the Civic Administration **BE REQUESTED** to undertake the following, with respect to the relocation and preservation works on the Sifton Properties Limited lands, in the Riverbend South planning area:
 - i) inspect and ensure that the tree relocation has not encroached or damaged the 50 meter holding provision zone; and,

- ii) require that the contractor de-mark the 50 meter limit prior to commencement of work;

it being noted that the EEPAC reviewed and received a communication dated January 9, 2012, from P. Chiacchia, President, C.H. Excavating (London) Ltd., with respect to this matter;

- b) the City Clerk **BE REQUESTED** to advise the Advisory Committees, through its Committee Secretaries, when the Clerk's Office will be advertising for new advisory committee membership;
- c) the City Clerk **BE ADVISED** that the EEPAC does not feel that the proposed amalgamation of the EEPAC and the Agricultural Advisory Committee (AAC) is appropriate, for the following reasons:
 - i) the membership of the two advisory committees have clearly different skill sets and interests required;
 - ii) the difficulty in recruiting and retaining committee members who have interests in both areas; and
 - iii) the EEPAC workload is already very high and has recently added Environmental Assessments, which impacts natural heritage; and,
- d) that clauses 4 through 11, inclusive, **BE RECEIVED**;

it being noted that the Planning and Environment Committee heard a verbal delegation from D. Sheppard, Chair, EEPAC, with respect to these matters.

13. 2nd Report of the London Advisory Committee on Heritage

Recommendation: The following actions be taken with respect to the 2nd report of the London Advisory Committee on Heritage (LACH), from its meeting held on January 11, 2012:

- a) the Civic Administration **BE ADVISED** that the LACH does not object to the demolition of the property located at 86 Cartwright Street, based upon the information provided, relating to the proposed new building;

it being noted that the LACH heard verbal presentations from A. Kaplansky, Kapland Construction and W. Kinghorn, Chair, Woodfield Community Association, with respect to this matter;

- b) the Civic Administration **BE ADVISED** that the LACH recommends the incorporation of the War Memorial Children's Centre north wing and the Colborne Building in any new development at the site;
- c) the Acting Chair, London Advisory Committee on Heritage, **BE DIRECTED** to express support for the position of Nature London, outlined in its communication dated January 2, 2012, at the public participation meeting, relating to the reclassification of Environmentally Significant Areas, to be heard at the Planning and Environment Committee, on January 16, 2012;
- d) the Civic Administration **BE REQUESTED** to determine the following with respect to the historical panels in the Electromotive Diesel Plant:
 - i) if the panels are still located at the Plant;
 - ii) the condition of the panels; and,
 - iii) ensure that the panels remain in London;
- e) the Civic Administration **BE ASKED** to report to the Planning and Environment Committee with respect to the following:
 - i) the status of the cultural heritage plan;
 - ii) an understanding all of the cultural resources we have in the City; and,
 - iii) how they can be utilized more effectively to promote tourism and economic development; and,

- f) that clauses 4 through 11, inclusive, **BE RECEIVED**;

it being noted that the Planning and Environment Committee received the attached communication dated February 6, 2012 and heard a verbal delegation from J. O'Neil, Acting Chair, LACH, with respect to these matters.

IV. ITEMS FOR DIRECTION

14. Property located at 190 Cambridge Street

Recommendation: That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application by Anna Corrin, relating to the property located at 190 Cambridge Street:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the demolition of the existing single-family residence and to construct a duplex dwelling;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the granting of the approval of the attached Site Plan for a duplex dwelling; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 6, 2012;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D25-00)

15. Reclassification of Urban Parks (O-8002)

Recommendation: That the following actions be taken with respect to the application of the City of London relating to policies for municipal parks:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on February 21, 2012, to amend the Official Plan by changing Section 16 to add a separate category for Urban Parks within the park hierarchy system; and,
- b) the Civic Administration **BE REQUESTED** to explore opportunities for developing and maintaining urban parks, in co-operation with the community;

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

- D. McBurney, 4 – 466 South Street – expressing support for the staff recommendation. (2012-D11-09)

16. 1400 and 1440 North Wenige Drive (Z-7986)

Recommendation: That, on the recommendation of the Director of Development Planning and the Managing Director of Development Approvals Business Unit, based on the application of Sifton Properties Limited, relating to the properties located at 1400 & 1440 North Wenige Drive, (Blocks 112 & 113) and a portion of Block 115, Registered Plan 33M-631, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on February 21, 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 Residential R6/Residential R7/Residential R8 (h-96*R6-5/R7*D100*H13/R8-4) Zone, which permits a wide range of housing, including single-detached cluster housing, cluster townhouses and low-rise apartment buildings, and an Open Space (OS1) Zone which permits public parks **TO** a Residential R6 (R6-2) Zone to permit single detached cluster housing at a maximum density of 20 units per hectare, a Residential R4 Special Provision (R4-6()) Zone to permit freehold street townhouse dwellings

with a minimum lot area of 145 m² and a special provision for a minimum lot frontage of 7.5 m, and an Open Space (OS5) Zone to permit conservation lands, a pathway and buffer for the Ballymote Environmentally Significant Area;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D11-07)

17. Property located at 50 Essex Street

Recommendation: That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application by M. and L. Bell, relating to the property located at 50 Essex Street:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a fourplex, with five bedrooms in each unit;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the granting of the approval of the attached Site Plan for a fourplex, with five bedrooms in each unit; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 6, 2012;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D25-00)

18. 2012-2016 Growth Management Implementation Strategy

Recommendation: That, on the recommendation of the Acting Executive Director, Planning, Environmental & Engineering Services, the following actions be taken with respect to the 2012-2016 Growth Implementation Management Strategy:

- a) Fox Hollow Stormwater Management Facility #1 (T-69) **BE CONSTRUCTED** in two distinct cells in accordance with the approved functional plan, with the south cell proceeding in 2012 at an estimated cost of \$1,200,000 and the north cell **BE ADDED** to the GMIS for in 2016, at an estimated cost of \$1,300,000, subject to the conditions identified in the attached Appendix 'A';
- b) Riverbend Facilities SWMF A and SWMF G, north of Oxford Street, **BE CONSTRUCTED** in 2012, at an estimated cost of \$4,300,000, and SWMF F **BE ADDED** to the GMIS for 2016, at an estimated cost of \$2,600,000; subject to the conditions identified in the attached Appendix 'A';
- c) the lands and the associated Old Victoria SWMF #1 (T-66) identified in the attached Appendix 'A' **BE DIRECTED** to be included in the GMIS in 2017;
- d) the 2012 Capital Budget **BE AMENDED** to reflect an estimated reduction in stormwater management expenditures of \$9,200,00, in accordance with the final functional plans;

it being noted that the land costs for SWM in part b), above, is included in the first phase estimates and the estimates are based on an outstanding environmental assessment; and,

- e) a special meeting of the Planning and Environment Committee **BE HELD** on Tuesday, February 21, 2011 at 1:15 p.m., at which time the Civic Administration will bring forward a report with respect to Mr. de Jong's proposal for the financing of Old Victoria SWM Facility #1 and the request of Sifton Properties Limited to move forward with the construction of the Old Victoria SWM #2 from 2015 to 2012, in exchange for the River Bend SWMF G construction being deferred to 2016;

it being noted that the Planning and Environment Committee (PEC) received communications from the following with respect to this matter:

- D. de Jong, Thames Valley Joint Venture, dated February 4, 2012;
- R. Zelinka, Zelinka Priamo Ltd., dated January 26, 2012;
- P.R. Masschelein, Sifton Properties Limited, dated February 6, 2012; and,
- J. Kennedy, London Development Institute, dated February 6, 2012 (attached);

it being also noted that the following individuals made an oral submission in connection therewith:

- S. Cornwell, Zelinka Priamo Ltd.;
- D. de Jong, on behalf of the Thames Valley Joint Venture; and,
- P.R. Masschelein, Sifton Properties Limited.

(2012-D18-00)

19. Property located at 7 Holiday Avenue

Recommendation: That, on the recommendation of the Director, Development Planning, the following actions be taken with respect to the site plan approval application of B. Malloy, c/o Kirkness Consulting, relating to the property located at 7 Holiday Avenue:

- a) the Approval Authority **BE ADVISED** that, at the public participation meeting of the Planning and Environment Committee, held with respect to this matter, issues were raised by the public with respect to the rear property elevation and drainage concerns;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the granting of approval of the attached Site Plan for the conversion of the house to an office;
- c) the financing for the project **BE APPROVED** in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 6, 2012; and,
- d) the Civic Administration **BE DIRECTED** to report to the February 13, 2012 Civic Works Committee meeting with respect to the completion of a subwatershed study for the remediation of the drainage concerns and how the City can alleviate the drainage concerns expressed by the residents;

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, Kirkness Consulting, on behalf of the applicant – advising that the application has been going through the process for 2½ years; advising that the property is located on the edge of Wellington Road; indicating that the Municipal Council refused the application and the application was appealed to the Ontario Municipal Board; advising that this meeting is on the removal of one holding provision; indicating that the application is for an office conversion; indicating that this is the same thing the abutting neighbour did five years ago; realizing that there is a drainage problem in the neighbourhood; indicating that the applicant is not putting a parking lot in the back of the property so that the neighbour to the west still feels like they live in a residential area; enquiring as to how long it takes the Environmental and Engineering Services Department to get approval by the Municipal Council; indicating that Mr. Malloy is a victim of the Ford Talbotville plant closure and has developed his own business; indicating that he has ten people in his employ at any given time; and indicating that they will be attending the next Planning and Environment Committee meeting to have another holding provision removed.

- T. Maywood, 20 Greenfield Drive – advising that he has been a plumber for 30 years; indicating that the rear yard of the subject property is lower than the front yard and that the road is high; advising that the surface area will be combined with the Tim Horton’s parking lot; indicating that Tim Horton’s continues to have water problems; indicating that passing Mr. Malloy’s site plan will allow two properties to have the same problems; indicating that he agrees with the cleaning of the culverts but that it won’t solve the problem; enquiring as to where the catch basins are going to be taken to; indicating that he doesn’t see an elevation plan with the application; indicating that the owner could have helped resolve the problem by raising his backyard; and indicating that the laneway is gravel and dirt now and some of the water is absorbed.
- T. Sutton, 19 Greenfield Drive – indicating that the site plan looks good but the largest problem is the drainage of water; indicating that there was not a water problem until Mr. Malloy changed the elevation of his property; indicating that the water used to drain towards the ditch; and indicating that the privacy fencing, which was to be erected along his property line, is still incomplete.
- C. Millar, 25 Greenfield Drive – expressing anger and frustration with the continued drainage problems; expressing frustration of pitting David against Goliath; indicating that the property south of Tim Horton’s is up for sale and will be turned into a commercial property; indicating that the drainage problem is the City’s responsibility; advising that the City doesn’t want to solve the problem in the proper way; advising that the Spriet Associates Study, that was completed relating to the subject property, was given to the adjacent property owners three hours ago; indicating that the first recommendation in the Study is for the construction of a storm sewer; enquiring as to why a storm sewer cannot be constructed; asking the City to do the right thing for the residents and construct a storm sewer.

(2012-D25-00)

20. Properties located at 311-319 Wharnccliffe Road North and 46-50 Beaufort Street (Z-7976)

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the application of London Property Group relating to the properties located at 311-319 Wharnccliffe Road North and 46-50 Beaufort Street:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on February 21, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property **FROM** a Residential R2 Special Provision (R2-3 (2)) Zone, which permits single-detached, semi-detached and converted dwellings to a maximum of two units, with a maximum floor area ratio of 40% and a Residential R3 Special Provision/Residential R8 Special Provision (R3-1 (4)/R8-4 (7)) Zone, which permits multi-unit residential uses, including apartments with a maximum height of 13 metres and a maximum floor area ratio of 80% **TO** a Holding Residential R8 Special Provision (h*h-5*R8-4 ()) Zone, to permit the above listed uses and apartment buildings with a density of 75 units/ha (37 units), a 3.1 metre front yard setback, interior and rear yard setbacks of 2.9 metres, a maximum floor area ratio of 142%, a maximum height of 14 metres to a depth of 40 metres from the Wharnccliffe Road North road allowance, a maximum height of 11 meters on the balance of the property and 50 vehicle parking spaces minimum; it being noted that holding provisions require that a development agreement be entered into and a public site plan meeting be held;
- b) subject to Policy 19.1.1. of the Official Plan, the properties located at 311-319 Wharnccliffe Road North, **BE INTERPRETED** to be located within the “Multi-Family Medium Density Residential” designation;
- c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the proposed amendment was included in the description of the previous legal notice for this application; and,

- d) the circulation area for the notice of the Site Plan Application **BE INCREASED** to include properties located on Gunn Street;

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

- H. Froussios, Zelinka Priamo Ltd. – expressing support for the application; thanking the Civic Administration for bringing the report forward in a timely fashion; advising that a public open house was held on December 6, 2011 and five residents attended; indicating that it was a productive open house; advising that comments were received from the residents with respect to cut-through traffic and the appropriateness of the use; indicating that the majority of the site has already been zoned; indicating that the application is consistent with the Official Plan; indicating that the applicant hired Mr. F. Berry to perform a traffic study; noting that Mr. Berry's report indicated that the proposed development does not impact traffic; indicating that the Civic Administration has consulted with the neighbourhood to review traffic calming; indicating that the applicant applied for a minor variance; and indicating that the applicant is allowed to build two buildings on the site.
- J. Corcoran, on behalf of the BIGS Community Association, 43 Gunn Street – expressing opposition to the application; indicating that there are over 30 members in the BIGS Community Association; indicated that a petition was signed opposed to the intensification of the interior of the neighbourhood; indicating that the residents did not get to comment prior to the 21-unit building being built; advising that the application does not meet the access setbacks from Wharncliffe Road North; advising that the application seeks to take the back end of three lots and rezone them R-8; advising that he has heard that there may be an application, in the future, to take the entire lots to build an apartment building; advising that the BIGS Community Association was before the Built and Natural Environment Committee in September, 2011 asking for relief from the intensification in their neighbourhood; advising that three more single family residences have been demolished for the creation of apartment buildings; advising that everyone has to exit on Beaufort Street; advising that there is no vehicle access at Gunn Street and Oxford Street; advising that Saunby Street is a one-way street; advising that the people living on Gunn Street were not circulated on the notice as they are outside of the 120 metre radius; expressing opposition to the comment that students do not have cars; indicating that some students have nicer cars than he does; indicating that their math supports 592 trips per day, using the equation of 37 units, with four bedrooms in each unit, with two return trips a day; advising that there are only 20 to 25 trips per day on the staff report, which is a major gap; advising that on page 17 of the staff report, a traffic study was not completed; indicating that the numbers being used are from people calling their Councillor and the City from two years ago about traffic problems; indicating that everyone talks about the Provincial Policy Statement and intensification, but pointing out that the Provincial Policy Statement also supports communities; advising that the City's Official Plan calls for trees on lot frontages; indicating that there is no room for trees on the lot frontages of the subject properties; advising that there is also a tree protection plan; indicating that the back of the residence at 50 Beaufort Street was infilled for parking; advising that there are noise problems at 2:00 a.m. and 4:00 a.m.; indicating that there is a sign in the window of the property located at 46 Gunn Street that says "You Honk, We Drink"; expressing disappointment that he has to express concerns again when he has previously spoken to a Standing Committee in September, 2011; advising that the neighbours have worked hard to bring their concerns forward; referring to the September 19, 2011 Municipal Council resolution; requesting that the intensification in the neighbourhood be downgraded; advising that the tender out right now does not allow the consultant to reduce intensification in the neighbourhood; advising that the residents were stunned by the results of the study; asking the City to keep its promise from September, 2011; and asking the Civic Administration to prepare a proper traffic impact study to mitigate the effects from the 21 units already under construction.

- M. Connor, Woodstock – advising that her mother and her brother live on Gunn Street; indicating that her mother and brother did not receive notices of the public meeting; indicating that they should not have to rely on the kindness of their neighbours to advise them of the meetings; indicating that the driveway is an incredibly dangerous spot; advising that there are student dwellings in the area and there are always taxicabs coming and going and that most of the students' friends have cars; advising that there are beer bottles on the property; indicating that this type of development is compatible with Essex Street; indicating that, growing up, Essex Street always had buildings, but that Beaufort Street and Gunn Street were single family residential streets; and reading an excerpt from a communication from T. Jackson, 44 Gunn Street, who is unable to attend the meeting.
- A. Lance, 72 Gunn Street – indicating that she has lived in her residence for 6½ years; advising that many of the residents on the street are seniors; advising that it is a close community; agreeing that the Civic Administration worked closely with the developer, but not the residents; suggesting that public notices were not presented properly; expressing surprise by the amount of building already completed; advising that the front and side yards have already been reduced; advising that bike space was an issue, but that it has been taken off the table; advising that the sewers on Beaufort Street are c.1921; indicating that the residents have lost many fights so they didn't attend the developers open house; indicating that Mr. Smith (Planner) advised that he only received one response; indicating that the area residents formed an Association and that the Association responded on behalf of the residents; advising that she was handed a London Consent Authority letter by the applicant this afternoon; advising that a grant has already been accommodated for a smaller setback off Wharnccliffe Road North; advising that this will impact Wharnccliffe Road North being four-lanes all the way through; advising that the residents exit the neighbourhood at Beaufort Street and Wharnccliffe Road North; advising that there is a sign on Wharnccliffe Road North asking people not to block the intersection; advising that traffic on Wharnccliffe Road North still blocks the traffic trying to get from Beaufort Street to Wharnccliffe Road North and it causes a backlog; indicating that five houses that had access to Wharnccliffe Road North were torn down; advising that a possible amendment was presented to a few in the community; indicating that it is impossible to understand the zoning; indicating that she looked for what the asterisk meant and was unable to find out; advising that she received a letter, from the City, dated January 18, 2012 which is different than the letter she received in October, 2011; advising that both buildings exit onto Beaufort Street; advising that on page 10 of the Staff report, a lower box refers to a small portion of 305 Wharnccliffe Road North; advising that the property for Felix apartments is 50 years old; advising that on page 11 of the Staff report, the "Essex Street Study" was undertaken to look at the residential uses in the area; advising that the occupants don't have the same concerns as owner occupied residences do; advising that there is a need for new infrastructure; advising that on page 12 of the Staff report, the traffic should not have a significant impact; advising that the study mentions that it will not generate a significant amount of traffic; enquiring as to why this is going to the public when so much has already been approved; advising that a development on the opposite side of the road exits onto Wharnccliffe Road North and enquiring as to why this development doesn't; advising that on the top of page 13 of the Staff report, there is a comment on parking and driveways being design to facilitate maneuverability; advising that the peer review panel is concerned with the connectivity to Wharnccliffe Road North; advising that a gentleman was killed at the end of Saunby Street; advising that there are a multitude of issues in the neighbourhood, such as pedestrians and the amount of traffic; advising that she is speaking on behalf of a number of her neighbours; indicating that the Built and Natural Environment Committee and the Municipal Council had previously requested that a study of the neighbourhood be done; indicating that the study options are as follows: continue with R-2 Zone or increase density and zoning of small neighbourhood; indicating that the area residents are hoping to slow intensification; advising that site plan approval is only asking for input and planning decides what happens with the site; and indicating that many of

- the changes requested affect the zoning.
- G. Barber, 375 Glenrose Drive – indicating that there are several errors on the original staff report; and ensuring that the Planning and Environment Committee has the corrected report. (2012-D11-05)

21. Demolition - 86 Cartwright Street - Kapland Construction

Recommendation: That, on the recommendation of the of the Director of Land Use Planning and City Planner, with the advice of the Heritage Planner, the Director of Building Controls **BE ADVISED** that Municipal Council does not object to the demolition of the designated property at 86 Cartwright Street:

it being noted that the London Advisory Committee on Heritage does not object to this demolition;

it being also noted that the Planning and Environment Committee (PEC) received the attached communication, dated February 6, 2012, from W. Kinghorn, Chair, The Woodfield Community Association, 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:

- A. Kaplansky, Kapland Construction – advising that the building is located behind a school; indicating that the house has been neglected and turned into a crack house; and advising that the development will be an improvement.
- S. Smith, 4-124 Bruce Street – indicating that the footing for the chain link fence is visible in the picture shown at the Planning and Environment Committee meeting; advising that she viewed the property the day it was up for tax sale; indicating that the drawing Mr. Kaplansky submitted does not fit on the lot; indicating that the school yard, near the subject property, is covered in soccer balls and footballs; enquiring as to whether or not the school board was offered an opportunity to purchase the property; and enquiring as to how much of the back taxes the City recovered. (2012-D10-00)

22. Amendment to Zoning By-law Definition - Day Care Centres

Recommendation: That the Civic Administration **BE ASKED** to review the opportunity to add “Senior Day Care” and “Adult Day-Care For Those With Disabilities” to the definitions of “Day Care Centre” in Zoning By-law No. Z.-1; it being noted that the Planning and Environment Committee reviewed and received a communication, dated January 27, 2012, from Councillor D. Brown with respect to this matter. (2012-D11-00)

23. Urban Growth Boundary

Recommendation: That the communications, dated January 13 and January 15, 2012, from F. and E. Desando, 1530 Westdel Bourne and S. Plunkett, 9282 Elviage Drive, respectively, with respect to their properties **BE REFERRED** to the Civic Administration for consideration during the Official Plan review, currently being undertaken. (2012-D07-00)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. ADJOURNMENT

The meeting adjourned at 9:40 p.m.