

23RD REPORT OF THE
BUILT AND NATURAL ENVIRONMENT COMMITTEE

Meeting held on September 26 and 27, 2011, commencing at 3:34 p.m.

PRESENT: Councillor W. J. Polhill (Chair), Councillors J. L. Baechler, D. Brown, J. Swan and S. White and H. Lysynski (Secretary).

ALSO PRESENT: Mayor J. Fontana and Councillors M. Brown and J. L. Bryant (all part-time), P. McNally, D. Ailles, G. Barrett, G. Belch, J. Braam, B. Campbell, H. Chapman, P. Christiaans, J. Clark, J. Danaskos, A. Dunbar, M. Elmadhoon, J. M. Fleming, T. Grawey, B. Henry, P. Kokkoros, G. Kotsifas, B. Krichker, J. Leunissen, J. Lucas, A. Macpherson, S. Maguire, L. Marshall, D. Menard, B. Mercier, N. Musicco, N. Pasato, A. Riley, R. Standish, D. Stanlake, M. Tomazincic and J. Yanchula.

I YOUR COMMITTEE RECOMMENDS:

- Winter Maintenance of Various Municipally Owned Facilities – Tender 11-85
1. (2) That, on the recommendation of the Managing Director – Corporate Assets, the following actions be taken with respect to the winter maintenance of various municipally owned facilities:
- (a) the bids submitted for the provision of winter maintenance services at the various Municipal Facilities for each City Area (Areas I through XVII), for a period of three (3) years, with an option to extend the contract for two additional years **BE ACCEPTED**, as follows:
- (i) Area I - All Terrain Property Maintenance Inc., P.O. Box 655, Lambeth Station, London, ON N6P 1P2;
 - (ii) Areas II, VI, VIII, X, XIII and the Dump Truck and Loader costs for removal of accumulated snow from locations - 1564242 Ontario Ltd. o/a CanSweep, 7927 Glendon Drive, P.O. Box 805, Mt. Brydges, ON N0L 1W0;
 - (iii) Areas III, IV and XIV - Black Dog Outdoor Services, 5308 Whalen Line, Granton, ON N0M 1V0;
 - (iv) Areas V and XV - 4M Services, P.O. Box 223 Lambeth Station, London, ON N6P 1P9;
 - (v) Area IX - Doug's Snowplowing and Sanding Ltd., 540 First Street, London, ON N5V 1Z3;
 - (vi) Areas VII, XI, except for Municipal Parking Lot #8, Areas XII, XVII, Master Meters and Individual meters at Municipal Lot #3 - 1724830 Ontario Inc. o/a Fandscape, 2509 Main Street, Lambeth, ON N6P 1P9; and,
 - (vii) Area XVI and Municipal Parking Lot #8 - Marski Inc., o/a Wintergreen Grounds Management Services, 354 Neptune Crescent, London, ON N6M 1A1;
- (b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with these contracts; and,
- (c) the approval hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2011-A09-00)
- Amendments to the Traffic and Parking By-law
2. (4) That, on the recommendation of the Acting Director, Roads & Transportation, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on October 3, 2011 for the purpose of amending the Traffic and Parking By-law (P.S. 111), to address traffic safety, operations and parking concerns relating to "No Parking", "Stop Signs", "Yield Signs", "Higher Speed Limits" and "Reserved Lanes". (2011-G05-00)
- London Road Safety Strategy
3. (5) That, notwithstanding the recommendation of the Acting Director, Roads and Transportation, the Civic Administration **BE DIRECTED** to give further consideration to the development of a Road Safety Strategy for London with a report back at a future meeting of the Built and Natural Environment Committee with this information. (2011-S09-00)

Access Management and Transportation Impact Assessment Guidelines

4. (6) That, on the recommendation of the Acting Director, Roads and Transportation, the attached Draft Access Management Guidelines and Transportation Impact Assessment Guidelines **BE CIRCULATED** to the London Development Institute, the London Engineering & Area Planning Consultants, the London Transit Commission, and other interested parties for review and comment. (2011-S11-00)

Labatt Sanitary Siphon Cleaning and Inspection – RFP No. 11-30

5. (8) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the Labatt sanitary siphon cleaning & inspection:

- (a) the proposal submitted by PipeFlo Contracting Corp., 180 Chatham Street, Hamilton, ON, in the amount of \$515,472.00, excluding H.S.T., for the Labatt Sanitary Siphon Cleaning & Inspection project **BE ACCEPTED**; it being noted that PipeFlo met the minimum technical qualifications and was the lowest of two submitted prices; it being also noted that the award is in accordance with Section 12 of the Procurement of Goods and Services Policy;
- (b) the financing for this project **BE APPROVED**, as set out in the Sources of Financing Report attached hereto as Appendix "A";
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project; and,
- (d) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order to the project. (2011-W10-01)

By-law of Abandonment for Identified Sections of the Stanton Municipal Drain

6. (9) That, on the recommendation of the Director, Wastewater and Treatment, the attached By-law (Appendix 'A') **BE INTRODUCED** at the Municipal Council meeting to be held on October 3, 2011 to provide for the abandonment of drainage works in the City of London - Stanton Municipal Main Drain, County Road #20 Drain, Branch 'A', Branch 'A1', Branch 'B', Branch 'B1', Branch 'D' and Branch 'G', that are located in close proximity to Fanshawe Park Road, Hyde Park Road and Gainsborough Road and discharging to the Thames River. (2011-W05-00)

Innovation Park Industrial Subdivision Phase 3 – Sanitary Sewer Extension – Contract Award – Tender 11-91 – Project ID1168-3A and ID2058-3A

7. (10) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the award of a contract for the Innovation Park Industrial Subdivision, Phase 3, Sanitary Sewer Extension (Projects ID1168-3A and ID2058-3A):

- (a) the bid submitted by L82 Construction Ltd., 270 Huron Street, Suite A, London, ON, N5V 5A7, in the amount of \$554,715.58, excluding HST, for the above-noted project, **BE ACCEPTED**; it being noted that the bid submitted by L82 Construction Ltd. was the lowest of nine (9) bids received and meets the City's specifications and requirements in all areas;
- (b) the contract with AECOM, 410-250 York Street, Citi Plaza, London ON, N6A 6K2, **BE INCREASED** by \$81,312.00 to a revised upset limit of \$1,613,877, excluding HST, in order to carry out the resident inspection and contract administration for the said project, in accordance with the estimate on file, noting that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers; and in accordance with: Section 15.2 (g) of the Procurement of Goods and Services Policy;
- (c) minor future additional annual operating costs of \$1,000 **BE RECOGNIZED** as a result of this project noting that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Wastewater & Treatment operating budgets;
- (d) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report, attached hereto as Appendix "A";

- (e) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with these projects; and,
- (f) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for this project and the completion of the related land sale; and,
- (g) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (2011-W10-02)

Development Charge Project Costs & City Services Reserve Fund Projects

8. (11, 36) That, on the recommendation of the Executive Director, Planning, Environmental and Engineering Services, the Civic Administration **BE DIRECTED** to provide a response to the London Development Institute relating to Development Charge Project Costs & City Services Reserve Fund Projects; it being noted that the Built and Natural Environment Committee reviewed and received a communication dated September 24, 2011, from J. Kennedy, London Development Institute, with respect to this matter. (2011-F06-00)

Supply, Delivery and Planting of Ash Tree Replacements – Tender 11-94

9. (12) That, on the recommendation of the Director of Planning, the following actions be taken with respect to the supply, delivery and planting of 2011 spring infill street trees (Tender T11-94):

- (a) the tender submitted by Kamarah Tree Farms, R.R. #1, 196312, Rd. 119, Lakeside, Ontario N0M 2G0, in the amount of \$130,875.00, excluding HST, **BE ACCEPTED**; it being noted that Kamarah Tree Farms submitted the lowest of four bids and meets all the tender terms, conditions and specifications;
- (b) the funding for this project **BE APPROVED** as set out in the Source of Financing Report attached hereto as Appendix "A";
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this contract; and,
- (d) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to these projects. (2011-E05-00)

Appeal to Condition of Provisional Consent – Application B.027/11 – 290, 292 and 294 Wharncliffe Road South

10. (13) That, on the recommendation of the Director of Development Planning, in response to the letter of appeal to the Ontario Municipal Board from Marjorie Louise Orr, dated July 22, 2011 relating to the Provisional Decision on Consent Application B.027/11 concerning property located at 290, 292 and 294 Wharncliffe Road South, the following actions be taken:

- (a) the Ontario Municipal Board **BE ADVISED** that Municipal Council supports current wording of Condition No. 7 of the Provisional Consent Decision, which is specifically objected by the applicant, which reads as follows:

“7. That the Owner transfer, at no cost to the City, sufficient lands free of encumbrances, save and except the buildings or steps of these dwelling units to widen Wharncliffe Road South to a maximum width of 18.0 metres in perpendicular width from the centreline of Wharncliffe Road South along the entire frontage of the subject lands as determined by the City Engineer. The reference plan describing the widening to be transferred must be pre-approved by the City Engineer.”

- (b) the Ontario Municipal Board **BE ADVISED** that Municipal Council supports all other conditions included in the Provisional Consent Decision; and,
- (c) the City Solicitor **BE DIRECTED** to provide legal and planning representation at the Ontario Municipal Board hearing in support of the position of Municipal Council. (2011-D09-00)

Highland Green
London Inc. –
Request for
Extension of
Draft Approval –
181 and 199
Commissioners
Road East
(39T-08501)

11. (14) That, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit, the following actions be taken with respect to the application of Highland Green London Inc. relating to the properties located at 181 and 199 Commissioners Road East:

- (a) the Approval Authority **BE REQUESTED** to approve a one (1) year extension to Draft Plan Approval, submitted by Highland Green London Inc., prepared by ENG Plus (Project No. 06.257), certified by J. Andrew Smith OLS, on December 18, 2007, File No. 39T-08501, as red line amended, **SUBJECT TO** the revised conditions contained in the attached Appendix “39T-08501-1”; and,
- (b) the Applicant **BE ADVISED** that the Director of Development Finance has projected the attached claims and revenues information. (2011-D11-03)

Subdivision
Amendment
Agreement –
Foxhollow
Developments
Inc. – Foxfield
Subdivision –
Phase 3 (39T-
02505-3)

12. (15) That, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to amending the subdivision agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, situated on the north side of Fanshawe Park Road West, west of Wonderland Road (Phase 3):

- (a) the attached Special Provisions to be contained in a Subdivision Amendment Agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, Phase 3 (39T-02505-3), **BE APPROVED**;
- (b) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Subdivision Amendment Agreement and all documents required to fulfill its conditions; and,
- (c) the applicant **BE ADVISED** that the Director of Development Finance has estimated the attached claims and revenues information. (2011-D26-02)

Subdivision
Amendment
Agreement –
Foxhollow
Developments
Inc. – Foxfield
Subdivision –
Phase 4 (39T-
02505-4)

13. (16) That, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to amending the subdivision agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, situated on the north side of Fanshawe Park Road West, west of Wonderland Road (Phase 4):

- (a) the attached Special Provisions to be contained in a Subdivision Amendment Agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, Phase 4 (39T-02505-4), **BE APPROVED**;
- (b) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Subdivision Amendment Agreement and all documents required to fulfill its conditions; and,
- (c) the applicant **BE ADVISED** that the Director of Development Finance has estimated the attached claims and revenues information. (2011-D26-02)

Subdivision
Amendment
Agreement –
Foxhollow
Developments
Inc. – Foxfield
Subdivision –
Phase 5 (39T-
02505-5)

14. (17) That, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to amending the subdivision agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, situated on the north side of Fanshawe Park Road West, west of Wonderland Road (Phase 5):

- (a) the attached Special Provisions to be contained in a Subdivision Amendment Agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, Phase 5 (39T-02505-5), **BE APPROVED**;

- (b) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Subdivision Amendment Agreement and all documents required to fulfill its conditions; and,
- (c) the applicant **BE ADVISED** that the Director of Development Finance has estimated the attached claims and revenues information. (2011-D26-02)

Banman
Developments
(Legendary) Inc.
– Request for
Extension of
Draft Approval –
East of
Wharncliffe
Road South at
Legendary
Drive (39T-
02502)

15. (18) That, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit, the following actions be taken with respect to the application of Banman Developments (Legendary) Inc. relating to the property located east of Wharncliffe Road South at Legendary Drive:

- (a) the Approval Authority **BE REQUESTED** to approve a two (2) year extension to Draft Plan Approval, submitted by Legend Developments Ltd., certified on June 24, 2003 by Murray Fraser, FKS Surveying Ltd., Drawing No. c-draftplan-sk3, **SUBJECT TO** the revised conditions contained in the attached Appendix “39T-02502-1”; and,
- (b) the Applicant **BE ADVISED** that the Director of Development Finance has projected the attached claims and revenues information. (2011-D11-01)

Sign and
Canopy By-law
Amendments –
Construction
Signs and Real
Estate Signs

16. (19) That, notwithstanding the recommendation of the Director of Building Controls, the request to amend and enforce the Sign & Canopy By-law for Construction and Real Estate Advertising Signs **BE DEFERRED** to a future public participation meeting of the Built and Natural Environment Committee. (2011-D24-00)

ecoMobility
Program

17. (20) That, on the recommendation of the Transportation Advisory Committee, the Civic Administration **BE ASKED** to explore funding opportunities to implement transit priority measures through Transport Canada's ecoMobility Program, a program that is part of the Government of Canada's ecoTransport strategy to address greenhouse gas emissions and air pollution from transportation sources; it being noted that the Transportation Advisory Committee held a general discussion with respect to this matter.

Special
Provisions –
Cedarhollow
Developments
Limited and
Auburn Homes
Inc. –
Cedarhollow
Subdivision –
Phase 2 (39T-
03518)

18. (22) That a special meeting of the Built and Natural Environment Committee (BNEC) **BE HELD** on Monday, October 3, 2011 at 4:30 p.m., to receive a report from Civic Administration with respect to the application of Cedarhollow Developments Limited and Auburn Homes Inc. for the subdivision of land on the south side of Fanshawe Park Road East, east of Highbury Avenue North, with said report to address:

- (a) the requirements that have been fulfilled;
- (b) the outstanding issues; and,
- (c) the timeline for the outstanding items to be completed;

it being noted that the BNEC heard verbal presentations from M. DiFabio, 582 Killarney Road and H. Elliott, 623 Killarney Road, with respect to this matter. (2011-D26-01)

EMCO
Corporation –
1100 and 1108
Dundas Street
(OZ-7918)

19. (23) That, notwithstanding the recommendation of the Director of Land Use Planning and City Planner, the application of EMCO Corporation relating to the property located at 1100 and 1108 Dundas Street **BE REFERRED** back to staff to facilitate the request of the applicant for:

- (a) an amendment to the Official Plan to add a Specific Area Policy (Chapter 10 policy) for the existing building at 1100 Dundas Street for office space, excluding medical/dental office, to a maximum of 2,508 square metres (27,000 square feet); and for the existing building at 1108 Dundas Street for office space, excluding medical/dental office, to a maximum of 6,224 square metres (67,000 square feet) and to include a limited amount of

commercial uses including convenience stores, financial institutions, restaurants and personal service establishments not exceeding a total of 1,000 square metres (10,764 square feet); and,

- (b) to amend the Zoning By-law from a General Industrial (GI1) Zone to a General Industrial Special Provision (GI1() Zone for the existing building at 1100 Dundas Street for office space, excluding medical/dental office, to a maximum of 2,508 square metres (27,000 square feet); and for the existing building at 1108 Dundas Street for office space, excluding medical/dental office, to a maximum of 6,224 square metres (67,000 square feet) and convenience store, financial institution, restaurant and personal service establishment not exceeding a total of 1,000 square metres (10,764 square feet);

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

- B. Billings, on behalf of the applicant – expressing appreciation for the handling of the application by the Civic Administration; advising that the issue is with the amount of floor area recommended; indicating that EMCO needs to remain viable and contribute to the community; advising that EMCO's primary tenant left in 2010 and that EMCO requires 30,00 square feet for office space; and indicating that EMCO met with its neighbours on June 28, 2011 and there were no concerns expressed with what EMCO is recommending. (2011-D11-02)

Emerging
Issues
Regarding
Office
Development
Policies

20. (24) That, on the recommendation of the Director of Land use Planning and City Planner, Planning Staff **BE DIRECTED** to initiate a review of the provisions of the Z.-1 Zoning By-law to ensure that the Official Plan's office policies are being clearly and effectively implemented; it being noted that the Built and Natural Environment Committee heard a verbal presentation from S. Farhi, Farhi Holdings Corporation, with respect to this matter. (2011-A13-00)

1830150
Ontario Limited
– 580
Fanshawe Park
Road East (Z-
7917)

21. (25,37) That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of 1830150 Ontario Limited relating to the property located at 580 Fanshawe Park Road East,

- (a) the attached, revised, proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 3, 2011 to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands **FROM** an Automobile Service Station (SS2) Zone which automotive uses, restricted **TO** a Holding Community Shopping Area Special Provision (h-5*h-11*h*103-CSA3(_)) Zone which permits commercial retail and service uses that serve the community and/or surrounding neighbourhoods, a reduced number of parking spaces of 43 stalls whereas 67 are required, a reduced front yard setback of 0.0 metres from the ultimate road allowance whereas 10 metres is required, a reduced lot depth of 38.1 metres whereas 50 is required, reduced loading spaces to 0 whereas 1 is required, reduced distance of parking area located next to an ultimate road allowance to 0m whereas 3m is required, reduced distance of a parking area next to any side yard to 0m whereas 3m is required, reduced distance of a parking area next to a rear yard to 0m whereas 3m is required, reduced distance between a drive-through lane located in the interior side yard and the property line to 0m whereas 3m is required; it being noted that the holding (h-103) has been added to ensure that urban design is addressed at site plan; it being also noted that the holding (h-11) has been added to ensure the access arrangements are addressed at site plan; it being further noted that the addition of the holding (h-11) will also ensure the orderly development of lands and the adequate provision of municipal services, the (h-11) symbol shall not be deleted until a development agreement and the associated site plan, which provides for appropriate access arrangements to the satisfaction of Council, is entered into with the City of London;

BNEC - 7

- (b) the site plan application **BE CONSIDERED** at a public participation meeting, with all members of the condominium corporation located at 567 Fanshawe Park Road East being notified; and,
- (c) the Civic Administration **BE DIRECTED** to review the traffic patterns at the intersection of Fanshawe Park Road East and Adelaide Street;

it being noted that the Built and Natural Environment Committee received communications from the following with respect to this matter:

- the Urban Design Peer Review Panel Members, dated September 21, 2011; and,
- A. Soufan, York Developments, dated September 24, 2011;

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. Young, Stantec Consulting, representing the applicant – see attached presentation.
- A. Soufan, York Developments, applicant – advising that there will be two garbage bins back-to-back and that the garbage will be picked up during non-peak hours; advising that if two garbage pick-ups are needed, one will occur in the morning and one will occur in the evening; indicating that the garbage truck will use the drive-thru lane; and advising that merchandise will be loaded and unloaded with a hand cart.
- J. Eakins, 21 – 567 Fanshawe Park Road East – advising that he lives in the condominiums across from the subject site; expressing concern with respect to traffic volume and the number of accidents in the area; enquiring as to how loading and unloading of merchandise and garbage pickup will be handled; indicating that there are a lot of variance requests; and expressing concern with the increase in traffic volume if this request is approved.
- J. Cousins, Manager, Tim Horton's, 564 Fanshawe Park Road East – advising that the Tim Horton's at 564 Fanshawe Park Road East has operated at that location for 8 years; advising that the 0% setback does not allow for landscaping and garbage pickup; advising that Tim Horton's has a self-enclosed garbage area for their store and that one garbage container won't work for four businesses; expressing concern with the elimination of the loading area; indicating that when he adds up the number of parking spaces, he only counts 22; expressing concern with people parking in the Tim Horton's parking lot and walking over to the other businesses; indicating that the application for site plan approval has not been applied for.
- President, Condominium Corporation, 567 Fanshawe Park Road East – indicating that he is the President of the Condominium Corporation; advising that he was not notified of the possible amendments and has had less than a week to review the proposal; advising that he does not agree that the application concurs with the Official Plan; expressing concerns with public safety; indicating that he hasn't seen a traffic study; advising that the picture of the proposed buildings is beautiful and it is a great idea looking south onto Fanshawe Park Road but it is a recipe for disaster; expressing concern with the amount of traffic and recommending that Council visit the area at either 8:00 a.m. or 5:00 p.m. (2011-D11-06)

1209571
Ontario Limited
– 485, 495, 503,
517 and 519
York Street
(OZ-7941)

22. (26) That, a special meeting of the Built and Natural Environment Committee (BNEC) **BE HELD** on Monday, October 3, 2011 at 4:30 p.m., to receive a report from Civic Administration with respect to removing the "clinic" use from the application of 1209571 Ontario Limited relating to the properties located at 485, 495, 503, 517, and 519 York Street:

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

- S. Cromwell, Zelinka Priamo Ltd., on behalf of the applicant – advising that the property owner has a potential purchaser who has an interest in the medical clinic use; advising that a second potential purchaser is interested in a real estate office; advising that this is an extensive application as it requires an Official Plan Amendment; advising that there are provisions to ensure that the clinic does not dispense methadone; advising that there are many properties in the area zoned for a “clinic”; indicating that the applicant is satisfied with the staff recommendation about the methadone clinic; advising that his client is open to the deferral of the “clinic” use; and requesting the removal of the clinic use.
- J. O’Neil, O’Neil Funeral Home – advising that he has been advised by the owner of 503 York Street that the owner is waiting to see if the clinic use is removed before commencing with an extensive renovation and requesting that Council push for the use of office space.
- O. Traher, Sophie’s Gown Shop – advising that she bought the old Gardner Auctions building in 1985; indicating that it had to be rezoned to allow for her wedding and bridal gown dress shop and that she had to be forthright about what her business would be; expressing frustration that the owner won’t tell them what they are proposing; advising that she has stores in Kitchener and Windsor and that, because she does not reside in Kitchener, she had to be fingerprinted; advising that she doesn’t want someone sneaking something in; enquiring as to whether or not this is the usual practice of the City of London; recommending that the applicant be required to identify what they intend to sell and what services they plan to serve; and expressing relief that the clinic use was removed. (2011-D11-06)

University of
Western Ontario
Student Union
Late Night
Shuttle Service

23. (27) That, on the recommendation of the Acting Director of Roads & Transportation, the following actions be taken with respect to facilitating the use of existing bus stops on the east side of Richmond Street between York Street and Oxford Street East for a proposed late night (midnight to 3:00am) shuttle service that is to be operated Fridays, Saturdays and Sundays:

- (a) the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting to be held on October 3, 2011 for the purpose of amending the Traffic and Parking By-law (P.S. 111); and,
- (b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with the by-law amendment noted in part (a) above. (2011-C08-00)

Thames Valley
Parkway
Extension on
Westdel Bourne
Road Allowance
at Kains Road

24. (28) That, on the recommendation of the Executive Director of Planning and Environmental Services, the revised Thames Valley Parkway extension on the West del Bourne road allowance at Kains Road project **BE COMPLETED**; it being noted that the revision is a narrower (2m wide) asphalt pathway along the east side of the existing trees and enhanced landscape buffering for adjacent neighbours who request it;

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

- H. Pflugfelder, 1956 Riverbend Road – expressing opposition to the proposed pathway; advising that when they purchased their property, they were informed that nothing would be built behind them except for a development on the opposite side of the trees; enquiring who is going to weed around the shrubs; enquiring as to the cost of the proposed pathway; enquiring as to how Council can ask other Departments to cut their budgets and then turn around and throw money away; advising that there are coyotes in the area and that she will have to watch other people’s children who are using the pathway due to the coyotes.

- W. McAlpine, 1948 Riverbend Road – expressing opposition to the proposed pathway; advising that they were at a meeting in the fall 2 years ago and were told at the meeting that they would be given notice of a public participation meeting; advising that they received no notice, that they had to hear about the public participation meeting by word-of-mouth; indicating that this is not how Council should operate; advising that the area for the proposed pathway is marked as “road allowance” and sees the area as an environmentally significant area; advising that it is good that Council is looking at all its options; indicating that it is a silly idea to put a walkway in the back of the property when there is a sidewalk at the front of the property; advising that public safety issues have not been addressed, that there is no parking on Kains Road and that it was originally called the “Thames Valley Parkway” and the City is now proposing to put it in a residential area; advising that they were never told that there would be a walkway put behind them; expressing confusion as to the relevance of the number of survey results for and against the proposed pathway; advising that they paid a premium for this lot; and advising that they have a reasonable level of security now and that the addition of a walkway opens them up for vandalism.
- A. Fernandez, 2036 Riverbend Road – expressing support for the proposed pathway; indicating that they are happy to live in a city that brings people together; advising that there is a school going in; indicating that the walkway adds value to the property and to the city in general.
- L. Williams, 2020 Riverbend Road - expressing opposition to the proposed pathway; advising that the properties were purchased with no pathway behind them, realizing that it was a road allowance; advising that they wouldn't have built the house they have now, they would have taken security into consideration; indicating that Kains Road is a very busy area; advising that the pathway is accessible off of Kains Road; recommending that the pathway follow the Thames River; advising that there was never a separate meeting for the pathway and that the pathway does not have to go in where it is proposed.
- S. Turner, 1952 Riverbend Road - expressing opposition to the proposed pathway; advising that the Open House meeting was convoluted and should have been two separate meetings; indicating that the pathway has a natural conclusion at the stormwater management pond and a natural beginning on Tiger Lily Road.
- N. Veru, Gatenby Street - expressing support for the proposed pathway; advising that they looked for a subdivision that had a pathway; indicating that they asked the builder for confirmation of the pathway and it was provided; and noting that some builders didn't tell the purchasers of the proposed pathway.
- L. Prelazzi, 1968 Riverbend Road - expressing opposition to the proposed pathway; advising that people that back onto pathways have a higher incidence of vandalism; indicating that the blueprints for the subdivision show the proposed pathway location as a road allowance; advising that he didn't think the road would be built for 20 years; advising that the Official Plan allows people to make informed decisions; and indicating that he spoke with Parks Planning staff and they advised him that the pathway is a recent addition.
- V. Marshall, 1506 Jim Allen Way - expressing support for the proposed pathway; advising that they recently moved to London from Toronto and acknowledging that a school will also be going in.
- J. Bacik, 1940 Riverbend Road - expressing opposition to the proposed pathway; advising that they moved from Windsor to London and chose the area because it back onto greenspace.
- J. Cross, 1968 Riverbend Road - expressing opposition to the proposed pathway; advising that a benefit is the number of developments in the area and advising that the questionnaire did not separate the park and the pathway, which are two separate issues.
- G. Berardi, 1972 Riverbend Road - expressing opposition to the proposed pathway; expressing concern with security and advising that they would have chosen a different layout if they had known about the proposed pathway. (2011-S07-03)

Farhi Holdings
Inc. –
Demolition
Request – 764
Waterloo Street

25. (29, 38) That, on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the request for the demolition of the designated heritage property at 764 Waterloo Street **BE APPROVED, SUBJECT TO:**

- (a) the consideration of the site plan application at a public participation meeting, with members of the community being notified;
- (b) the owner of the subject property working with the City and the neighbours to ensure that the property is remediated properly;
- (c) as required by the *Ontario Heritage Act*, consultation with the London Advisory Committee on Heritage occur related to the drawings for the proposed dwelling to be constructed at this location, if a demolition permit is issued;
- (d) landscaping to buffer the empty lot from the residential district to the north, until an approved redevelopment proposal is in place; and,
- (e) a site plan application for the neighbouring property located at 754 Waterloo Street;

it being noted that the Built and Natural Environment Committee received the following communications from the following, opposed to this matter:

- E. V. Newman, 875 Hellmuth Avenue, dated September 26, 2011;
- B. K. Richter, 875 H75 Hellmuth Avenue, dated September 26, 2011;
- D. G. Kennedy, 1016 Wellington Street, dated September 25, 2011;
- G. Hinton, by e-mail, dated September 25, 2011;
- K. Dube, 784 Hellmuth Avenue, dated September 25, 2011;
- A. Strong, 772 Hellmuth Avenue, dated September 25, 2011;
- J. Thompson, 766 Hellmuth Avenue, dated September 25, 2011;
- N. Thompson, 287 St. James Street, dated September 25, 2011;
- J. & D. Goldman, by e-mail, dated September 24, 2011;
- M. Loft, 784 Wellington Street, dated September 26, 2011;
- I. Haldane, 890 Waterloo Street, dated September 24, 2011;
- M. Parks, Chair, Bishop Hellmuth Community Association, dated September 26, 2011;
- M. White, by e-mail, dated September 26, 2011;
- T. Kane-Callender, 779 Waterloo Street, dated September 26, 2011; and,
- D. Crockett, Integrated Vice-President, Facilities Management, St. Joseph's Health Care;

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

- S. Farhi, Farhi Holdings Inc., applicant – advising that he has a track record of preserving heritage properties; indicating that he owns over 100 buildings in the City of London; indicating that it is a lovely neighbourhood that people should be proud of; and advising that he hired an engineer to examine the building.
- M. Ference, NA Engineering Associates Inc. – advising that she was asked by the applicant to go through the building in January, 2011; advising that the home had not been heated or taken care of; advising that they took a cursory look at the first, second and basement levels; advising that the roof has leaked for a number of years, the lath and plaster are coming down there is damage done to the floor joists, the building was used as a business, the interior has been reworked, the basement may have been used as an apartment, the mantels from the fireplace have been ripped out, there are holes in the walls, the mechanical and electrical services have been damaged, the foundation is a multi-brick foundation and there was evidence of water and ice coming through the foundation and there is mold; advising that she looked at the exterior of the building when the snow melted and there are a lot of cracks in the mortar joints and

the chimney; expressing concern with the evidence of people breaking in and causing further damage; advising that animals have been getting in as there are animal carcasses and skeletons; indicating that the building has been neglected for years; suggesting that the renovations may not have been completed; noting there are bricks missing and the property is dangerous.

- M. Parks, Bishop Hellmuth Community Association – see attached presentation.
- E. Newman, 875 Hellmuth Avenue – advising that due to the lateness of the hour, neighbours with children are unable to attend; advising that they were attracted to the neighbourhood by the architecture; advising that each house has a unique history; indicating that once a house is destroyed, the heritage is gone; and requesting that if the house is demolished, that whatever is built in its place resembles the building that is there now.
- A. Marcotullio, 766 Waterloo Street – expressing support for the demolition; advising that he is the former owner of the property and that the building has been boarded up for a decade and a half; advising that the building poses a threat to his family; and advising that people break in, in the middle of the night.
- C. Scott-Barre, 774 Hellmuth Avenue – advising that she is the fourth generation of her family to live in her home; advising that she was active in the designation of the Bishop Hellmuth Heritage Conservation District; advising that she has toured the building at 764 Waterloo Street and that the house is sorely neglected; advising that there has been nothing done to preserve the dignity of the heritage house; advising that the neighbourhood is blessed with some of the most beautiful heritage features in the city; advising that the municipality does not have a stellar record of preservation; and asking the Committee to make a decision they can be proud of; and indicating that the building has not been secured.
- P. Dillon, 876 Hellmuth Avenue – advising that he has lived in his house for 20 years; advising that he had extensive renovations done to his property and he knows about the costs and potential of renovating a heritage property; indicating that it is too early to prejudge by allowing demolition at this time; indicating that demolition should not be allowed until a definitive site plan has been received; expressing considerable fear that the next sign will have a Tim Horton's sign over it; advising that there is the potential for a domino effect up the block; advising that he doesn't begrudge Mr. Farhi for what he does; asking to hold Mr. Farhi to his pledge to preserve heritage property and that if the building can't be preserved, to get public input.
- B. Richter, 875 Hellmuth Avenue – advising that he moved to London one year ago and bought specifically in a Heritage Conservation District; advising that he chose the Bishop Hellmuth Heritage Conservation District as there are no newer buildings in the District; noting that they didn't chose the West Woodfield Heritage Conservation District as it has some newer buildings that are not in keeping with the District; indicating that he thought the character and density of the neighbourhood were protected; indicating that the neighbourhood hasn't had much chance to discuss this matter; suggesting that the developer should have knocked on doors in the neighbourhood; indicating that there are a number of vacant commercial properties in the Richmond Street and Oxford Street area and creating more commercial space will create more of a problem.
- J. Colvin, 859 Waterloo Street – advising that he purchased the property at 861 Waterloo Street, which was in bad shape; advising that he had to replace the chimney, and the eaves trough and soffit on one side; indicating that he invites people to see what can be done; and asking Council to think carefully before allowing people to demolish their homes.
- J. Chapman, 103 Elmwood Avenue – advising that there is no land assembly happening here and that engineers are licensed and are not hired to say what you want them to say.

- M. Pundaky, Farhi Holdings Inc. – indicating that he walks through the properties that Mr. Farhi purchases; indicating that people are making assumptions about the future and future development; advising that the property has been neglected for 16 years; advising that the utilities have been turned off for 6 years; advising that their main concern is the structure and the health and safety of the neighbours; indicating that they have cut the landscaping to deter vandalism; and indicating that City restrictions, by-laws and the building code do not allow them to build whatever they want.
- G. Brumitt, Farhi Holdings Inc. – advising that she has managed various properties during her career, including Ontario Realty Corporation properties; advising that the property is beyond saving; recommending that the Building Division and Planning Division determine what the impact is on the neighbourhood; and suggesting that because certain aspects of the property are worthy of heritage doesn't mean that the entire property is worth saving.
- S. Trosow, 43 Mayfair Drive – expressing opposition to the application; expressing frustration at watching people being attacked; advising that property owners that allow their properties to fall into disrepair should not be rewarded; indicating that the developer should have been fined; and requesting the applicant to come in with a site plan after working with the neighbourhood. (2011-D10-00)

Infrastructure
Ontario
(Formerly
Ontario Realty
Corporation) –
London
Psychiatric
Hospital Lands
Secondary Plan
(O-7668)

26. (30, 39) 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 Infrastructure Ontario (formerly Ontario Realty Corporation), for an Official Plan Amendment to change existing land use designations and to adopt a Secondary Plan, integrated with a Municipal Class Environmental Assessment (EA) Study, Schedule "B" for Storm/Drainage and Stormwater Management (SWM) Servicing Works, for the London Psychiatric Hospital Lands, municipally described as 840 and 850 Highbury Avenue North and 1414 and 1340 Dundas Street, and lands without a municipal address located east of 850 Highbury Avenue North and bounded by the Canadian Pacific and Canadian National Railways:

- (a) the Psychiatric Hospital Lands Municipal EA Study, Schedule "B" for Storm/Drainage and SWM Servicing Works (Stantec, September 14, 2011), attached hereto as Appendix "B", **BE ACCEPTED**; it being noted that the required control of the estimated peak flows and velocities that would determine the size of the proposed Storm/Drainage and SWM Servicing Works have been deferred to the functional design stage as identified by the Ministry of the Environment (MOE);
- (b) using an integrated approach, combining the *Planning Act* and the *Environmental Assessment Act* processes, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 3, 2011 to:
 - (i) amend Chapter 20 - Secondary Plans, by adding "London Psychiatric Hospital Secondary Plan" to the list of Secondary Plans adopted by Council in Section 20.2 i) of the Official Plan for the City of London;
 - (ii) amend Chapter 20 – Secondary Plans, by adding Section 20.4 – London Psychiatric Hospital Secondary Plan, to the Official Plan for the City of London;
 - (iii) change the designation of the subject lands on Schedule A – Land Use, **FROM** the "Regional Facility" and "Light Industrial" designations, **TO** the "Multi-family, High Density Residential", "Multi-family, Medium Density Residential", "Office/ Residential", "Regional Facility" and "Open Space" designations;
 - (iv) amend Schedule B1 – Natural Heritage Features, to delineate an "Unevaluated Wetland";
 - (v) amend Schedule C – Transportation Corridors, to add the Secondary Collector Road Network; and,

- (vi) amend Schedule D – Planning Areas, to add “Secondary Plans” to the legend, change “Planning Area Name” in the legend to “Planning Area\Secondary Plan Name” and delineate a new Planning Area to the map entitled “London Psychiatric Hospital”;
- (c) the request to amend the Official Plan to change the designation of the subject lands **FROM** the “Regional Facility” and “Light Industrial” designations, **TO** the “Multi-family, Medium Density Residential”, “Live-Work”, “Mixed Use”, “Main Street Commercial Corridor”, “Office Area”, “Regional and Community Facility”, “Open Space – Parkland”, “Open Space – Heritage”, “Open Space – Environmental”, and “Open Space – Stormwater Management” designations, and to add Secondary Plan policies to the Official Plan to guide the redevelopment of the subject lands, and provide new schedules to address such matters as secondary plan designations, neighbourhood areas, building heights, street hierarchy, pedestrian and cycling routes, cultural heritage framework, urban design areas and priorities, **BE REFUSED** for the following reasons:
- (i) text changes to the proposed Secondary Plan were required to address the resolution of such key issues as the conservation of cultural heritage, parkland dedication, the transportation system and network, and permitted land uses and urban design and land use control criteria;
 - (ii) City staff have recommended a two-tier land use designation approach, which employs land use designations existing in the Official Plan and introduces new land use designations at the Secondary Plan level, that are to be read in conjunction with the existing Official Plan schedules and text;
 - (iii) minor changes to the schedules in the proposed Secondary Plan were required to reconfigure the designation boundaries; modify the road, pedestrian and cycling networks, modify building heights, add permitted traffic turning movements, expand the cultural heritage framework to include trees on both sides of the curvilinear road, identify a significant vista, establish the areas of influence for noise and vibration adjacent to an existing industrial use, and identify the preferred solution for storm/drainage and stormwater management servicing works; and,
 - (iv) text changes are recommended to the proposed Secondary Plan to create a standard format for all future Secondary Plans, to create new land use designations at the Secondary Plan level, and to use a policy format and terminology that is more consistent with the City of London Official Plan;

it being noted that the Built and Natural Environment Committee received a communication dated September 14, 2011 from V. Labreche, Labreche Patterson & Associates Inc., 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:

- B. Malpass, Elmwood Lawn Bowling Club, 14 – 284 Wonderland Road South - advising that he has attended all of the meetings; indicating that lawn bowling has been carried on by the Fairmont Bowling Club at this site for over 90 years; advising that they hold local and national lawn bowling tournaments; advising that their members range in age from 17 to 90; indicating that bowlers that attend tournaments stay in hotels and eat at area restaurants; indicating that the Bowling Club installed new flood lights, and new greens in the last year; expressing opposition to the designation for their location as they would have to find a new location; advising that the Elmwood Lawn Bowling Club is hosting the 2012 Ontario Pairs Tournament; indicating that they have a large investment in their facilities and that they wish to remain at the same location; advising that moving their facilities to the north will cost several hundred thousand dollars; indicating that he has not been contacted by the Civic Administration or MHBC and requesting that their location not be moved.

- W. Wake, 597 Kildare Road – expressing pleasure with the protection of the six chimneys to accommodate the chimney swifts; advising that the chimney swifts are protected both provincially and federally; and indicating that the largest reason for the chimney swift decline is the lack of food as they eat insects from wetlands and environmentally significant areas.
- B. Thompson, 196 Ryan Avenue – expressing support for the plan and indicating that it has taken into consideration the neighbourhoods around it; requesting that the Open Space area be developed into a park; requesting that this not be developed piece meal; asking that the Lawn Bowling Club be kept in its current location; and request that the developers build something that is inventive in size, shape and area around the Lawn Bowling Club.
- C. Wiebe, MHBC Planning – advising that this process has taken almost 3 years and has been an interesting process; advising that she has been contacted by a cultural heritage expert who is attending a conference in October and asked for permission to tell the conference about this Plan; advising that there has been a lot of collaboration; noting that the surplus will be between \$9,000,000 and \$15,000,000 and will generate a tremendous economic impact to the City; advising that the Lawn Bowling Club is situated close to Dundas Street and the proposal is to shift the Lawn Bowling Club to the central part of the plan and indicating that final decisions have not been made. (2011-D11-04)

KAP Holdings
Inc. – 186-188
Huron Street
and 2 Audrey
Avenue (OZ-
7912)

27. (31,40) That, notwithstanding the recommendation of the Director of Land Use Planning and City Planner, the application of KAP Holdings Inc relating to the properties located at 186-188 Huron Street and 2 Audrey Avenue **BE REFERRED** back to staff to continue to work with the developer and the neighbourhood to determine a less-intense development that all parties can agree to, and to report back to the Built and Natural Environment Committee, by the end of the year with respect to this matter;

it being noted that the Built and Natural Environment Committee received communications opposing this matter from the following:

- M. Gregory, 545 St. George Street, dated September 26, 2011; and,
- D. Bale, 776 Colborne Street, dated September 23, 2011;

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

- W. Pol, IBI Group, on behalf of the applicant – see attached presentation.
- R. Langille, Associate Vice-President of Physical Plant and Capital Planning, University of Western Ontario – advising that the University of Western Ontario opposes this application; advising that the University of Western Ontario is constructing a new 1,000 bedroom residence on campus; advising that if the application is allowed, it will change the neighbourhood.
- C. Jacobs - expressing support for the application; advising that he worked on the design of the project; indicating that the proposal allows more students to walk to school; advising that good health habits can be more easily encouraged at this age; indicating that fewer students driving will reduce fossil fuels usage; suggesting that in the future people will be leasing from private sectors; indicating that the University of Western Ontario is against this proposal as they are in the business of student housing; advising that most people deal with noise and traffic issues year round; indicating that the Broughdale Neighbourhood tells the Planning Department what to do; advising that Dundas Street has soup kitchens, methadone clinics and prostitution; suggesting that Richmond Street should be six stories in height and turned into a place that students can go for coffee; advising that students use porches and large backyards for parties; advising that large developers pay for security; advising that separate renters can't afford this; encouraging young people to walk; advising that he has the same waist size that he had in 1978; advising that most clients don't want to come to London and suggesting that either you want to intensify or you don't.

- D. Bale, 776 Colborne Street – expressing opposition to the application; advising that it affects everyone in London and everyone across the Province; advising that KAP Holdings has applied for an application that has been turned down by the Planning Department, Council and the Ontario Municipal Board; indicating that KAP Holdings puts up buildings that apply to the regulations and flouts all regulations; indicating that KAP Holdings is not a model developer that cares for what it does, it puts up buildings that are an affront to the eye; and suggesting that Council send this application back.
- M. Blosch, 43 Mayfair Drive – expressing opposition to the application; indicating that the Planning Department does not jump when the Broughdale Neighbourhood speaks; expressing a feeling of déjà vu; advising that the study area is the applicants study area; advising that the area within a 10 minute walk is where most of the comments came from; advising that nothing in the neighbourhood has changed; advising that she has lived in the neighbourhood for 10 years; indicating that it is not a transient neighbourhood; expressing frustration for something that she has to come to City Hall for at midnight that the neighbourhood had to come out for 5 years ago with 6 more bedrooms; indicating that the Zoning By-law and the Official Plan are the same; advising that giving the ugly, old buildings to Habitat for Humanity doesn't justify the application; indicating that it is a self-inflicted wound; indicating that to now use that this is going to look prettier, is the same as earlier except that the buildings are going to be functional; advising that this is not an issue of pretty buildings but an issue of intensification; and advising that students have cars because they drive back and forth to home, the grocery store and their jobs.
- Resident, 434 Wilkins Street – expressing opposition to the application; advising that she walks around in her area of the city; indicating that when she goes to University, she will still be using a car, it does make that much difference; advising that her grandmother lives down the street and that her grandmother's house has been egged; indicating that she would not live in one of the buildings that KAP Holdings built on Huron Street and Audrey Avenue; enquiring as to how you can fit that many houses into the small lots; advising that growing up she is seeing the city become more urbanized; that more houses are being built near Wharncliffe Road South and advising that she has friends that attend University who live 5 to 6 people a house.
- K. Langs, 199 St. James Street – expressing opposition to the application; advising that he is outside of the study area, but within the 10 minute walking distance; advising that the residents were here in 2005 and that there have not been significant changes to the neighbourhood; indicating that the staff report says it all; indicating that to make an exception in the middle is not right; requesting that the policies be followed; and indicating that it is an R-1 zone, not an R-5 zone for a reason.
- S. Trosow, 43 Mayfair Drive – expressing opposition to the application; indicating that the staff presentation is comprehensive; indicating that it is a mixed neighbourhood with students and non-students living there; advising that some of the policies that the city is undertaking are working; advising that the University of Western Ontario is building more dormitories that will have adequate parking and security; advising that the neighbourhood is established and is not going downhill like it was; indicating that this is not something that can be solved by a developer on his white horse; requesting that spot zoning not be allowed; and advising that if you grant this application, you will see many more.
- R. Millard, 193 Regent Street – expressing opposition to the application; advising that he can see KAP Holdings handiwork from his living room; indicating that allowing the application will exacerbate the noise, parking and garbage problems and will pose a real possibility for social disorder; advising that the students get together late at night; advising that this is the thin edge of the wedge; indicating that if you can do this here, you can do it anywhere; and requesting Council think about the public's interests.
- A. Kaplansky, applicant – advising that the divisional court did not uphold the Ontario Municipal Board decision. (2011-D11-04)

Sifton
Properties
Limited –
Portion of 2178
and 2270
Highbury
Avenue North
(39CD-
10513/OZ-
7843)

28. (32,41) That, on the recommendation of the Managing Director of Development Approvals Business Unit and Director of Development Planning, the following actions be taken with respect to the application submitted by Sifton Properties Limited relating to the properties located at 2178 & 2270 Highbury Avenue North:

- (a) the request to amend the Official Plan to change the designation of the subject property from “Urban Reserve, Community Growth” and “Agriculture” to “Low Density Residential” and to move the Urban Growth Boundary to include a small portion of the lands within the Urban Growth Area **BE REFUSED** for the following reasons:
- (i) expansion of the Urban Growth Boundary is not permitted outside of comprehensive review of the Official Plan;
 - (ii) it is not consistent with the Provincial Policy Statement; and,
 - (iii) it is not consistent with the policies of the Official Plan;
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property from a Open Space (OS5) Zone which permits conservation lands and conservation works and a Residential R1 (R1-4) Zone which permits to a Residential R6 Special Provision (R6-2(___)) Zone to permit cluster housing in the form of single detached dwellings at a maximum density of 15 units per hectare and a maximum height of 10.5 metres with a special provision to permit a reduced interior side yard of 1.2 metres and reduced density of 15 units per hectare, and an Open Space Special Provision (OS1(___)) Zone to permit a public park/trail corridor extension with a special provision for 0 metre lot frontage onto a public road and reduced lot area of 1600 square metres **BE REFUSED** for the following reasons:
- (i) is not consistent with the Provincial Policy Statement;
 - (ii) it does not conform with the policies of the Official Plan;
 - (iii) the requested zone would not appropriately implement the proposed lot structure of the associated draft plan submitted by the applicant; and,
 - (iv) it does not maintain the natural heritage linkage to the wetland;
- (c) the Approval Authority **BE ADVISED** that at the public participation meeting of the Built and Natural Environment Committee held with respect to this matter, the following issues were raised by the public with respect to the following:
- (i) the proximity to the wetland;
 - (ii) the location being where children play;
 - (iii) the narrow streets; and
 - (iv) the volume of traffic;
- (d) staff **BE REQUESTED** to review the ESA designation of Block 60, Registered Plan 33M-601 in the upcoming Official Plan update commencing in 2011;

it being noted that the Built and Natural Environment Committee received a communication, dated September 23, 2011, from A. McCloskey, Ministry of Natural Resources, 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:

- B. Card, Barrister & Solicitor, representing the applicant – requesting that the Council refer the matter back to the Civic Administration to allow presentations from Mr. P. Maschellin, Dr. Epp and Ms. Zunte; advising that the refusal of the application is incorrect; indicating that it is easy for people to look at the land link, but the link doesn't function for the conveying of water because of the bump in the middle; indicating that the linkage identified is unusable; expressing concern with the planning

impact; advising that there are 6 bullet points where Staff were able to say good things about the application; the staff report indicates that the proposal provides housing for land that is not needed; advising that in the Ontario Municipal Board decision, Mr. Stephanko said it shouldn't move the Official Plan boundary; indicating that it does not constitute affordable housing, that other projects aren't rejected because they are not affordable housing projects; advising that there are a number of issues that do not seem to be of clear, analytical thought; advising that there are no merits for grounds for rejection; advising that the wetland is to be protected; advising that narrow streets are something that the city favours in order to hamper speed; and requesting the application be sent back until the Council can hear presentations from Mr. P. Maschellin, Dr. Epp and Ms. Zunte.

- Resident, 1562 Privet Place – advising that when they purchased their property two and a half years ago, that the proposition was not listed on the map; indicating that the proposal puts more cars in an area where children play; indicating that the streets are very narrow and that this is a high traffic area; advising that when he sits on his deck, he can see the birds fly to the water; advising that he has seen deer, coyotes and turtles in the direct line of the proposed development; and indicating that 74 houses are being built that use one exit and now 40 more houses are proposed to be built that would use the same exit.
- D. McCluskey, 1524 Privet Place – advising that they bought their property, at a premium, for the proximity to the wetland; indicating that the developer has advertisements on Highbury Avenue listing “back to nature” and now the developer wants to take that away; indicating that you can barely get the cars across and enquiring as to how a fire truck would get down the road.
- A. Hajjar, 1510 Privet Place – advising that he bought their property, at a premium, because of the wetland and the court; indicating that the streets are narrow; advising that if cars are parked on the side of the road, that an ambulance could not pass through; and agreeing with his neighbours comments. (2011-D11-07)

Great Near-Campus Neighbourhoods Planning Amendments

29. (33, 42) That the Civic Administration **BE ASKED** to report back with the amount of resources, the proposed budget and the timelines that are necessary to complete the Great Near-Campus Neighbourhoods Planning Amendments, by the end of the year;

it being noted that the Built and Natural Environment Committee received a communication, dated September 22, 2011, from S. Levin, President, Orchard Park/Sherwood Forest Ratepayers, with respect to this matter.

Cultural Heritage Report South Street Hospital Complex

30. (34) That clause 1 of the 10th Report of the London Advisory Committee on Heritage **BE REFERRED** to the Civic Administration for consideration.

Clause 1, as referred, reads as follows:

That the following actions be taken with respect to the Cultural Heritage Report provided by N. Tausky, Heritage Consultant, relating to the buildings in the South Street Hospital Complex; it being noted that the London Advisory Committee on Heritage (LACH) noted Ms. Tausky's report provides a detailed description of the evolution of the South Street campus, clearly establishes the cultural heritage significance of the site, is supported by extensive and detailed research, including relevant photos, and provides a strong case for the retention of aspects of the site to provide a material reference to remind Londoners and visitors of the importance of this site within the development of the community; it being further noted that with the various changes in London's health history occurring at this time (ie. the decommissioning of the LPH site, the move to the Westminster campus and the projected renovations at St. Joseph's Hospital), it is appropriate to consider how to place the South Street complex into the context of the medical and social history of London:

- (a) the Inventory of Heritage Resources **BE AMENDED** to change the Priorities of the following buildings:
 - (i) Medical School as a Priority 1;
 - (ii) Nurses Residence as a Priority 1; it being noted that the Nurses Residence is the last one in existence;
 - (iii) Colborne Street Building as a Priority 1;
 - (iv) Main Building (North Wing) as a Priority 2; and,
 - (v) War Memorial Children's Hospital as a Priority 1;
- (b) the Inventory of Heritage Resources **BE AMENDED** to include the following properties:
 - (i) the Old Surgical Building as a Priority 1; and,
 - (ii) the Old Isolation Building as a Priority 1;
- (c) the heritage features of the Nurses Residence **BE RETAINED** and **BE INCORPORATED** in the new structure;
- (d) the exterior walls on the east, south and west sides of the buildings **BE RESTORED** to their original condition, with necessary alterations being made to achieve greater accessibility for disabled persons;
- (e) the following **BE RETAINED** and **BE RESTORED**:
 - (i) vestibules in the Nurses' Residence and the former Medical School;
 - (ii) the reception halls in the Nurses' Residence and the former Medical School;
 - (iii) the auditorium in the former Medical School;
 - (iv) the sunrooms in the former War Memorial Children's Hospital;

it being noted that where the lowered ceilings cut across windows, the original ceiling heights should be restored;
- (f) the Colborne Building, on the south side of South Street, **BE PRESERVED**, including the original doors, door and window surrounds and fire protection equipment;
- (g) the art deco features in the North Wing of the Main Building **BE PRESERVED** and **BE INCORPORATED** into a new development;
- (h) the buildings in the South Street Hospital Complex for which conservation is now anticipated or for which conservation may be considered in the future **BE PROTECTED** by:
 - (i) keeping the buildings tenanted;
 - (ii) installing a good security system;
 - (iii) all necessary repairs being completed to prevent water infiltration and to provide adequate ventilation; and,
 - (iv) preventing the removal of any original or significant features of the relevant buildings;
- (i) the Civic Administration and a qualified restoration architect **BE REQUESTED** to prepare a detailed conservation plan for each building to be conserved;
- (j) if any of the buildings listed in part (a), above, are not conserved, the building **BE THOROUGHLY** documented, including complete photographic documentation of the building's older features and with measured drawings that indicate as much as can be discerned of the original layout, where such drawings do not already exist;

- (k) the streetscape, within the study area north of South Street, and any conserved buildings within the study area south of South Street, **BE GIVEN** consideration to designation as a Heritage Cultural Landscape or a Heritage Conservation District;

it being noted that the SoHo area has applied to become a Heritage Conservation District;

- (l) a form of interpretation, such as a passive park, a small museum, interpretive signage, commemorative works of art, memorial walls or paving stones, **BE INSTALLED** as a means of commemorating the history and importance of the hospital;

it being noted that the Thames Valley River Master Plan will be installing plaques along the Thames River;

- (m) the three properties on the north side of South Street and the southwest corner of Colborne Street and South Street **BE CONSERVED**;
- (n) the entrance pavilion in the yellow brick building **BE CONSERVED**;
- (o) the Municipal Council **BE ACKNOWLEDGED** for recognizing the significance of this area; and,
- (p) N. Tausky **BE THANKED** for her excellent work on the Cultural Heritage Report;

it being noted that the London Advisory Committee on Heritage received the comments from its Stewardship Sub-Committee with respect to this matter.

Heritage
Property
Monitoring Sub-
Committee

31. (34) That, on the recommendation of the London Advisory Committee on Heritage, the London Fire Fighters' Association **BE REQUESTED** to give consideration to the inclusion of Daniel Sullivan's name to the Firefighters Monument for the following reasons:

- Mr. Sullivan was a firefighter with the Hook and Ladder Company who was killed in the Hyman Tannery fire;
- a state funeral was ordered and paid for by the City of London Fire Department; and,
- Mr. Sullivan is included on the previous Firefighters Monument (erected in 1856, originally located at the former McCormick Building and moved to the Mount Pleasant Cemetery in 1875);

it being noted that the London Advisory Committee on Heritage heard a verbal presentation from J. O'Neil, on behalf of the Heritage Property Monitoring Sub-Committee, with respect to this matter.

Heritage
Alteration
Permit
Application – M.
Hyland – 63
Elmwood
Avenue East

32. (34) That, on the recommendation of the London Advisory Committee on Heritage, with the concurrence of the Director of Land Use Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of M. Hyland requesting permission for exterior additions to the heritage property located at 63 Elmwood Avenue East **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed additions and has advised that the impact of such alteration on the heritage features of this property is negligible; it being also noted that the London Advisory Committee on Heritage heard a verbal presentation from M. Hyland with respect to this matter.

Demolition
Application –
Farhi Holdings
Corporation –
764 Waterloo
Street

33. (34) That clause 4 of the 10th Report of the London Advisory Committee on Heritage **BE REFERRED** to the public participation meeting relating to the proposed demolition of the property located at 764 Waterloo Street:

Clause 4, as referred, reads as follows:

- (a) the Director of Building Controls and Chief Building Official **BE ADVISED** that the London Advisory Committee on Heritage (LACH) does not oppose the demolition of the property located at 764 Waterloo Street; it being noted that the LACH was advised that the Bishop Hellmuth Community Association has not had an opportunity to review and respond to the proposed demolition; it being also noted that there will be a public participation meeting at the Built and Natural Environment Committee at its meeting held on September 26, 2011, with respect to this matter; and,
- (b) as required by the *Ontario Heritage Act*, the LACH **BE CONSULTED** on drawings for the proposed dwelling to be constructed at this location if a demolition permit is issued;

it being noted that the LACH heard verbal presentations with respect to this matter from the following:

- J. Chapman, Jim Chapman Holdings Incorporated;
- N. Aroutzidis, NA Engineering Associates Inc.;
- M. Ferenc, NA Engineering Associates Inc.;
- M. Pundaky, Farhi Holdings Corporation;
- A. Marcotullio, 766 Waterloo Street; and,
- S. Farhi, Farhi Holdings Corporation;

it being also noted that the LACH received the following communications with respect to this matter:

- a communication dated September 13, 2011 from M. Parks, Bishop Hellmuth Community Association;
- a communication dated July 28, 2011 and photographs of the house, from M. Ferenc, NA Engineering Associates Inc.

Statement of
Significance – 5
Paddington
Avenue

34. (34) That, on the recommendation of the London Advisory Committee on Heritage, on the recommendation of the Stewardship Sub-Committee, notice of the Municipal Council's intention to designate the property located at 5 Paddington Avenue to be of cultural, historical and architectural value or interest **BE GIVEN** for the attached reasons under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.O., 1990, c.0.18*; it being noted that the owner of the subject property (C. & S. Mayberry) has concurred with the above recommendation, with the understanding that the land to be included in the designation will be as shown on the assessment roll.

Statement of
Significance –
719-721
Dundas Street

35. (34) That, on the recommendation of the London Advisory Committee on Heritage, on the recommendation of the Stewardship Sub-Committee, notice of the Municipal Council's intention to designate the property located at 719-721 Dundas Street to be of cultural, historical and architectural value or interest **BE GIVEN** for the attached reasons under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.O., 1990, c.0.18*; it being noted that the owner of the subject property (S. Langer/Unity Project for Relief of Homelessness in London) has concurred with the above recommendation, with the understanding that the land to be included in the designation will be as shown on the assessment roll.

Demolition By
Neglect

36. (Add) That the Civic Administration **BE ASKED** to determine how to strengthen the monitoring of heritage buildings to ensure that demolition by neglect does not occur.

II YOUR COMMITTEE REPORTS:

Renewable
Energy Projects

37. (1) That the Built and Natural Environment Committee reviewed and received an information report from the City Solicitor with respect to Renewable Energy Projects. (2011-W12-00)

- Veterans Memorial Parkway Noise Study
38. (3,35) That the Built and Natural Environment Committee (BNEC) reviewed and received the following with respect to the Veterans Memorial Parkway Noise Study:
- (a) an information report from the Acting Director of Roads and Transportation; and,
 - (b) a communication, dated September 22, 2011, from Councillor W. J. Armstrong; it being noted that the BNEC took no action with respect to the request. (2011-P07-00)
- Thames River Water Quality
39. (7) That the Built and Natural Environment reviewed and received an information report from the Director, Wastewater and Treatment, with respect to the Thames River water quality. (2011-W13-00)
- 6th Report of TAC
40. (20) That the Built and Natural Environment Committee reviewed and received clauses 2 to 13 of the 6th Report of the Transportation Advisory Committee from its meeting held on September 6, 2011. (See Report attached.)
- 10th Report of EEPAC
41. (21) That the Built and Natural Environment Committee reviewed and received the 10th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on September 15, 2011. (See Report attached.)
- 10th Report of LACH
42. (34) That the Built and Natural Environment Committee heard a verbal presentation from J. O'Neil, Vice-Chair, London Advisory Committee on Heritage (LACH) and reviewed and received clauses 7 to 18, inclusive, of the 10th Report of the LACH from its meeting held on September 14, 2011. (See Report attached.)
- Disclosure of Pecuniary Interest – Councillor Polhill
43. That Councillor W. J. Polhill disclosed a pecuniary interest in clause 29 of this report having to do with the Great Near-Campus Neighbourhoods Planning Amendments by indicating that his son is on the Committee of Adjustment.
- Disclosure of Pecuniary Interest – Councillor D. Brown
44. That Councillor D. Brown disclosed the following pecuniary interests, with this report:
- (a) clause 4, having to do with the access management and transportation impact assessment guidelines, by indicating that her employer has a contract with the London Transit Commission;
 - (b) clause 17, having to do with the 6th Report of the Transportation Advisory Committee, by indicating that her employer has a contract with the London Transit Commission;
 - (c) clause 23, having to do with the University of Western Ontario Student Union Late Night Shuttle Service by indicating that her employer may bid on the contract; and,
 - (d) clause 24, having to do with the application of 1209571 Ontario Limited relating to the properties located at 485, 495, 503, 517 and 519 York Street by indicating that her employer's place of business is within 250 metres.
- Disclosure of Pecuniary Interest – Councillor White
45. That Councillor S. White disclosed a pecuniary interest in clause 41 of this report having to do with clause 8 of the 10th Report of the London Advisory Committee on Heritage relating to Beaufort Street, Irwin Street, Gunn Street and Saunby Street Neighbourhood Planning Options, by indicating that her employer owns property and has an office that Councillor White occasionally works out of, on Gunn Street.

The meeting adjourned at 1:10 a.m.