

3RD REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on February 1, 2016, commencing at 4:04 PM, in the Council Chambers, Second Floor, London City Hall.

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

ALSO PRESENT: Councillors J. Morgan, M. van Holst and J. Zaifman and G. Barrett, M. Elmadhoon, J.M. Fleming, S. Galloway, K. Gonyou, T. Grawey, I. Listar, A. Macpherson, L. Mottram, J. Ramsay, M. Ribera, C. Saunders, E. Soldo, M. Tomazincic and J. Yanchula.

I. CALL TO ORDER

1. That it BE NOTED that Councillor T. Park disclosed a pecuniary interest in part e) of the staff report related to Item 10, having to do with the evaluation of Community Improvement Plan incentives, by indicating that she owns a neighbouring property.

II. CONSENT ITEMS

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

That the 2nd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on January 21, 2016, BE RECEIVED.

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

3. Designation of the King Street Bridge Under the *Ontario Heritage Act*

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the proposed designation of the King Street Bridge under the *Ontario Heritage Act*:

- a) the staff report dated February 1, 2016, relating to the proposed designation of the King Street bridge BE RECEIVED for information; and,
- b) Notice of Municipal Council's intention to designate the King Street Bridge to be of cultural heritage value or interest BE GIVEN for the reasons appended to the staff report dated February 1, 2016 under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.P. 1990, c. O. 18.* (2016-R01)

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

4. Property located at 1192 Highbury Avenue North – Ontario Municipal Board (OZ-8463)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board, dated July 21, 2015, submitted by Barry R. Card, on behalf of Econdale Limited, relating to Zoning By-law No. Z.-1-152408, as it relates to the property located at 1192 Highbury Avenue North, 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. (2016-D09)

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

5. Property located at 275 Thames Street - Repeal of Designation

That, on the recommendation of the Managing Director, Planning and City Planner, the by-law appended to the staff report dated February 1, 2016, to repeal By-law No. L.S.P. -3432-10 BE INTRODUCED at the Municipal Council meeting to be held on February 16, 2016; it being noted that this matter has been considered by the London Advisory Committee on Heritage and public notice has been completed with respect to the repeal in compliance with the requirements of the *Ontario Heritage Act*. (2016-R01)

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

III. SCHEDULED ITEMS

6. Properties located at 130, 136, 146 and 164 Pond Mills Road and 925 Deveron Crescent (39T-12501/Z-8007)

That, on the recommendation of the Manager of Development Services and Planning Liaison, in response to appeals to the Ontario Municipal Board, dated September 23, 2015, submitted by Alan Patton, Patton Cormier Ferreira, on behalf of Drewlo Holdings Inc., on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application and a non-decision by Municipal Council within 120 days relating to a zoning by-law amendment application, concerning lands located at 130, 136, 146, & 164 Pond Mills Road and 925 Deveron Crescent:

- a) the Ontario Municipal Board BE ADVISED that Municipal Council does not support draft approval of the proposed plan of subdivision, submitted by Drewlo Holdings Inc. (File No. 39T-12501), which shows 133 single detached lots, 2 future multi-family residential blocks, 1 future development block, 1 open space block, 2 new local streets and 1 secondary collector road connecting Deveron Crescent from Shelborne Street to Pond Mills Road along an existing public road allowance known as Centre Street, for the following reasons:
 - i) an accepted Environmental Impact Study (EIS) is required in order to demonstrate that there will be no negative impacts on the natural features or their ecological functions;
 - ii) without an accepted EIS to confirm the limits of development it is not possible to recommend red-line revisions to the proposed draft plan and conditions of draft approval cannot be formulated until such time as this has been resolved;
 - iii) conditions of draft approval cannot be formulated until the location of the proposed sanitary sewer and stormwater sewer outlets and the proposed method of trenchless construction, have been confirmed;
 - iv) the proposed plan of subdivision is not consistent with the Natural Heritage policies in Section 15 and the Servicing policies in Section 17 of the Official Plan;
 - v) the proposed plan of subdivision is not consistent with the provisions in Sections 1.6 and 2.1 of the Provincial Policy Statement, and Section 3 of the *Planning Act*, and,
 - vi) the plan, as proposed, does not implement the Urban Design principles in Section 11 of the Official Plan or the Placemaking Guidelines adopted pursuant to the Section 19.2 of the Official Plan;
- b) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the request to amend Zoning By-law Z.-1 to change the zoning of the subject lands FROM a Residential R1/Neighbourhood Facility (R1-6/NF) Zone, a Residential R5/Residential R8 (R5-4/R8-4) Zone, a Convenience Commercial (CC) Zone and an Open Space (OS4)

Zone TO a Residential R1 (R1-1) Zone, to permit single detached dwellings on lots with a minimum lot frontage of 9.0 metres and minimum lot area of 250 square metres; a Residential R5 (R5-2 and R5-7) Zone, to permit townhouses and stacked townhouses up to a maximum density of 30 units per hectare and maximum height of 12 metres under the R5-2 Zone and to permit townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres under the R5-7 Zone; an Open Space (OS4) Zone, to permit such uses as conservation lands, conservation works, public and private parks without structures and golf courses without structures; and an Urban Reserve (UR1) Zone, to permit such uses as existing dwellings, agricultural uses, conservation lands, managed woodlot, wayside pit and passive recreation uses, BE REFUSED for the following reasons:

- i) without an accepted EIS to confirm the limits of development and the zone boundaries, it is not possible to recommend approval of the requested zoning by-law amendment; and,
 - ii) it has not been demonstrated that the requested zoning conforms with the Official Plan and is consistent with Provincial Policy Statement; and,
- c) the City Solicitor and Managing Director of Development & Compliance Services and Chief Building Official BE DIRECTED to provide legal, planning and engineering representation at the Ontario Municipal Board hearing to support the position of the Municipal Council;

it being pointed out that no individuals spoke at the public participation meeting associated with this matter. (2016-L01/D09)

Voting Record:

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

Motion to open the public participation meeting.

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

Motion to close the public participation meeting.

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

7. 2nd Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 2nd Report of the London Advisory Committee on Heritage (LACH):

- a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, with respect to the designation of the King Street Bridge, the Civic Administration BE DIRECTED to give notice under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.P. 1990, c. O. 18*, of Municipal Council's intention to designate the King Street Bridge to be of cultural heritage value or interest for the reasons appended to the 2nd Report of the LACH;
- b) the attached 2016 Work Plan for the London Advisory Committee on Heritage BE APPROVED; and,
- c) clauses 1 to 9 and 12, BE RECEIVED;

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

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

8. 2nd Report of the Trees and Forests Advisory Committee

That, the following actions be taken with respect to the 2nd Report of the Trees and Forests Advisory Committee:

- a) R. Johnson, Green Legacy Manager, Wellington County, BE INVITED to a future meeting of the Trees and Forests Advisory Committee (TFAC) to make a presentation with respect to the Green Legacy Program operating in Wellington County; it being noted that the TFAC approved expenditures of up to \$250.00 with respect to this matter; it being further noted that the TFAC has sufficient funds in its proposed 2016 budget for these expenditures; and,
- b) clauses 1 to 6 and 8, BE RECEIVED;

it being noted that the Planning and Environment Committee reviewed and received the attached presentation from A. Cantell, Vice-Chair, Trees and Forests Advisory Committee, with respect to these matters.

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

IV. ITEMS FOR DIRECTION

9. 2nd Report of the Agricultural Advisory Committee

That, the following actions be taken with respect to the 2nd Report of the Agricultural Advisory Committee (AAC):

- a) the following actions be taken with respect to the property located at 2001 and 2215 Sunningdale Road West:
 - i) the Civic Administration BE ADVISED that, although the AAC is sympathetic to the unusual shape of the property, in its opinion, the proposed severance does not meet the Provincial Policy Statement 2014 and would prefer the severed portion with the existing dwelling be of a smaller acreage in order for the retained agricultural parcel to be larger; and,
 - ii) it BE NOTED that a Notice dated December 23, 2015, from B. Turcotte, Senior Planner, with respect to an application submitted by Nelson Morphy and Glen and Lianne Ruby relating to the properties located at 2001 and 2215 Sunningdale Road West, was received;
- b) the following actions be taken with respect to Urban Agriculture:
 - i) the hosting by the Agricultural Advisory Committee (AAC) of a symposium on urban agriculture, in late Spring 2016, to engage the agricultural community and other City Advisory Committees BE APPROVED; and,
 - ii) the matter of hosting an urban agriculture symposium BE ADDED to the AAC 2016 Work Plan;
- c) the City Clerk BE REQUESTED to review the London Advisory Committee on Heritage (LACH) Terms of Reference, with respect to the relevance of an Agricultural Advisory Committee (AAC) Member as a voting member on the LACH, and to bring forward the necessary Terms of Reference revision, should the representation be determined to no longer be valid; it being noted that the AAC held a general discussion with respect to this matter; and,
- d) clauses 1 to 5 and clause 7, BE RECEIVED.

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

10. Evaluation of Community Improvement Plan Incentives

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the City of London's various financial incentives offered through Community Improvement Programs in the City of London:

- a) the Civic Administration BE DIRECTED to undertake a service review process in 2016 to consider and evaluate the range of financial incentives offered through the City's existing Community Improvement Plan programs and to report on the cost, strategic benefit, and affordability of such programs, as well as any potential savings that could be realized through changes to these programs;
- b) the Civic Administration BE DIRECTED to consider, amongst other potential changes to existing programs, the potential for the following two program changes:
 - i) instituting a \$10 million cap on the funding assigned to the Residential Development Charges Rebate Grant Program, between the years 2017 to 2019; it being noted that if the \$10 million cap is reached (ie. grants have been issued at any time between 2017 and 2019 totalling \$10 million), additional projects, or portions of projects, constructed in that period would be required to pay development charges and no grant would be offered; it being further noted that for the year 2020 and beyond, a similar cap or a program of stepping down the amount of the development charge rebate grant should be considered; and,
 - ii) taking a more targeted approach to the development charges grant for industrial uses, such that the program aligns with the attraction of key industrial sectors and those types of industrial uses that generate the highest levels of employment; it being noted that a stepping down of the development charge grant should also be considered;
- c) the Civic Administration BE DIRECTED to undertake a rigorous public engagement program for the service review process identified in parts a) and b), above, to include the Downtown London BIA, the Old East Village BIA, other interested business and resident groups, the London Economic Development Corporation, the London Development Institute, the London Chamber of Commerce, the London Manufacturing Council, the Urban League of London and other members of the building and development community;
- d) as part of the service review process relating to existing community improvement plans, the Civic Administration BE DIRECTED to consider and evaluate the following incentive programs that have been posed to the Municipal Council in the past and to report on the cost, strategic benefit and affordability of such programs:
 - i) a new incentive program stemming from the Hamilton Road Community Improvement Plan process;
 - ii) a new incentive program stemming from the Lambeth Community Improvement Plan process;
 - iii) the expansion of the Downtown Community Improvement Area to align with the new boundaries of the Downtown London Business Improvement Area;
 - iv) a new incentive program granting a development charge rebate for new buildings, or additions, to accommodate publicly accessible sports and recreation services;
 - v) a new incentive program granting a development charge rebate for new buildings, or additions, to accommodate private, or not-for-profit educational facilities, including music schools;

- vi) a new incentive program for environmentally sustainable buildings or communities;
 - vii) a new incentive program providing development charge rebates for new buildings, or additions, to accommodate small businesses;
 - viii) funding the existing Brownfield Contamination Assessment Study Grants incentive program to help proponents assess their property for the presence and extent of brownfield contamination, assess risk and determine the best means for remediating those sites; and,
 - ix) fund the existing Industrial Corridor Enhancement Program to help industrial property owners improve their properties (landscaping, screening, tree planting, etc.), where such properties are visible from important corridors such as the Veterans Memorial Parkway or Highway 401;
- e) the Civic Administration BE REQUESTED to provide a business case relating to Brownfield Contamination Assessment Study Grant Program Summary as part of the 2016-2019 Multi-year Budget process; and,
 - f) the Civic Administration BE REQUESTED to investigate the impacts of the vacancy tax rebate on the municipality and to provide potential recommendations for communication to the provincial government as part of the review;

it being pointed out that the Planning and Environment Committee reviewed and received the following communications with respect to these matters:

- a communication dated January 28, 2016 from M. Drangova, Chair, Old East Village, Business Improvement Area; and,
- the attached communication dated February 1, 2016 from J. MacDonald, CEO and General Manager, Downtown London;

it being noted that the Planning and Environment Committee reviewed and received a presentation from the Managing Director, Planning and City Planner, with respect to these matters. (2016-D19)

Voting Record:

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

Motion to move part a) as amended, part b), part c) as amended and part d).

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

Motion to move new recommendations parts e) and f).

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

Motion to receive the communications and the presentation.

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

11. Public Engagement Process – Glanworth Neighbourhood

That the Civic Administration BE DIRECTED to initiate a public engagement process with the Glanworth neighbourhood to receive comment and evaluate potential changes to the Official Plan and Zoning By-law and other relevant policies and regulations that would assist in preserving the quality of life and neighbourhood amenities, recognizing the unique setting of Glanworth within a highly rural setting; it being noted that the Planning and Environment Committee reviewed and received a communication dated January 26, 2016, from Councillor J. Zaifman, with respect to this matter. (2016-D09)

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

12. Bonus Policies – Draft London Plan

That the Civic Administration BE DIRECTED to include policies that address the following matters in the draft London Plan:

- a) policies that give opportunity for bonus zoning in circumstances where a development proposal would provide off-site amenities within the broader surrounding neighbourhoods; and,
- b) inclusion of policies that would require applications for bonus zoning to be evaluated by how the development would address the needs of the surrounding neighbourhoods and the public benefits that would be obtained from the bonus zone;

it being noted that the Planning and Environment Committee reviewed and received a communication dated January 27, 2016, from Councillor J. Morgan, with respect to this matter.

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park, S. Turner (5)

VI. ADJOURNMENT

The meeting adjourned at 6:31 PM.