

6TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on February 27 and 28, 2012, commencing at 4:06 PM, in the Council Chambers, Second Floor, London City Hall.

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

ALSO PRESENT: Mayor J. F. Fontana, Councillors J.L. Baechler, N. Branscombe and S. Orser, D. Ailles, G. Barrett, S. Bellaire, J. Braam, P. Christiaans, M. Elmadhoon, J. M. Fleming, B. Henry, P. Kokkoros, B. Krichker, E. Lalande, J. Leunissen, A. MacLean, L. McDougall, N. Musicco, J. Page, J. Ramsay, A. Riley, C. Saunders, J. Shaughnessy, C. Smith, M. Tomazincic, B. Turcotte and J. Yanchula.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That Councillor Polhill disclosed a pecuniary interest in clause 7 of this Report, relating to the property located at 4 Erie Avenue, by indicating that his son is a member of the Committee of Adjustment. Councillor Polhill further disclosed a pecuniary interest in clause 8 of the this Report, relating to the property located at 50 Jacqueline Street, by indicating that his son is a member of the Committee of Adjustment.

II. CONSENT ITEMS

2. 3rd Report of the London Advisory Committee on Heritage

Recommendation: That, the following actions be taken with respect to the 3rd Report of the London Advisory Committee on Heritage from its meeting held on February 8, 2012:

- a) the Civic Administration **BE ADVISED** that the Heritage Alteration Permit Application of St. Paul's Cathedral requesting permission for changes to the main front entrance, and other changes related to accessibility, to the designated heritage property located at 472 Richmond Street **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alterations on the heritage features of the property identified in the reasons for designation is negligible; it being further noted that the London Advisory Committee on Heritage heard verbal presentations from P. Rutherford, St. Paul's Cathedral Administration and M. Wasylko, Wasylko Architect Inc., with respect to this matter;
 - b) the residence located at 14 Rogers Street **BE ADDED** to the *Inventory of Heritage Resources* as a Priority 3 listing;
 - c) the Heritage Planner **BE ASKED** to forward the Statement of Significance, for the property located at 678 Talbot Street, to the owner for signature; and,
 - d) that clauses 3 through 15, inclusive, **BE RECEIVED**.
3. Forest City Industrial Stormwater Management Facility and Westminster Wetland Complex

Recommendation: That, on the recommendation of the Acting Executive Director, Planning, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the Forest City Stormwater Management Facility Westminster Wetland Complex Assessment of Reported Die-back report:

- a) the report relating to the Forest City Stormwater Management Facility Westminster Wetland Complex Assessment of Reported Die-back **BE ACCEPTED**; it being noted that the assessment concluded that there is no evidence that the contribution of stormwater from the Forest City

SWM facility is causing stress or tree mortality within the Westminster Wetland Complex; and,

- b) the Civic Administration **BE REQUESTED** to work with ReForest London, as part of the One Million Tree Challenge, on tree plantings for this area. (2012-W10-00)

4. Ballymote Woods Subdivision

Recommendation: 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 by Sifton Properties Ltd. to exempt Lots 88-94 in Plan 33M-631 and Lots 1-12 Plan 33M-632 from Part Lot Control:

- a) the following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part Lot Control By-law for Lots 88-94 in Plan 33M-631 and Lots 1-12 Plan 33M-632:
- i) the applicant be required to submit a draft reference plan, for review and approval, to the Civic Administration, prior to a reference plan being deposited in the Land Registry Office to ensure the proposed development plans comply with the regulations of the Zoning By-law;
 - ii) the applicant be required to submit, to the Civic Administration, a digital copy and a hard copy of each reference plan to be deposited; it being noted that the digital file is to be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iii) the applicant be required to obtain confirmation, from the Civic Administration, prior to the reference plan being deposited in the Land Registry Office, that the assignment of municipal numbering has been completed;
 - iv) the applicant be required to enter into an amended subdivision agreement with the City for Plan 33M-631 and Plan 33M-632 to address all issues outlined below:
 - A) the applicant be required to submit, to the City, for review and acceptance, revised servicing and grading drawings for Registered Plan 33M-631 and Plan 33M-632 to reflect the proposed relotting and identify any services that require removal and relocation;
 - B) the applicant shall submit, a revised grading plan that reflects the final lot layout and is in compliance with all obligations for current and proposed works and with associated requirements to be set out in an amended subdivision agreement;
 - C) the applicant is to provide adequate security as needed; and,
 - D) prior to the issuance of a Certificate of Conditional Approval for the proposed lots, a clearance is to be obtained from the City that requirements iv) A) to C) , as outlined above, have been satisfactorily completed;
 - v) the applicant be required to submit, to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;

- b) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Municipal Council meeting, to exempt Lots 88-94 in Plan 33M-631 and Lots 1-12 Plan 33M-632 from the Part Lot Control provisions of subsection 50(5) of the said *Act*, for a period not to exceed six (6) months; it being pointed out that these lands are subject to a registered subdivision agreement and Lots 1-12 Plan 33M-632 are zoned Holding Residential R1 (h-96*R1-5) Zone and Lots 88-94 in Plan 33M-631 are zoned Residential R1 (R1-5) Zone in Zoning By-law No. Z.-1, which permits single detached dwellings with a minimum lot frontage of 12m and minimum lot area of 415m²; and,
 - c) the applicant **BE ADVISED** that the cost of registration of these by-laws is to be borne by the applicant in accordance with City policy. (2012-D11-07/D26-05)
5. Properties located at 1280 Fanshawe Park Road West and 1875 and 1965 Hyde Park Road (OZ-7401)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application by Smartcentres relating to the properties located at 1280 Fanshawe Park Road West and 1875 and 1965 Hyde Park Road:

- a) the attached revised by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012, to amend policy 4.7.1.5.4 of the Official Plan, which refers to the Fanshawe Park Road/Hyde Park Commercial Node, to change the maximum gross floor area for retail commercial uses in this node from 113,620m² to 117,336m² and to change the maximum gross floor area for retail commercial uses permitted on the southeast corner from 53,890m² to 57,606m²;
- b) the attached revised by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above), to change the zoning of the subject property **FROM** a Holding Associated Shopping Area Special Provision (h*h-25*ASA3/ASA6/ASA8(4)) Zone which permits a wide range of commercial uses in a shopping centre or stand alone buildings with a maximum gross floor area of 53,890m² provided that a development agreement is entered into with the City and that the development complies with the City of London Commercial Urban Design Guidelines **TO** an Associated Shopping Area Special Provision (ASA3/ASA6/ASA8 (_)) Zone which permits commercial uses in a shopping centre or stand alone buildings with a maximum gross floor area of 57,606m²; and,
- c) the date of passing referred to in the proposed by-laws **BE AMENDED** from March 5, 2012 to March 20, 2012 and pursuant to section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect to the proposed by-laws as the proposed changes to the by-laws are minor in nature;

it being noted that the Planning and Environment Committee received a communication, dated February 26, 2012 from E. Saulesleja, GSP Group Inc., with respect to this matter. (2012-D11-02)

6. Comprehensive Official Plan Review and Komoka-Kilworth Secondary Plan

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the Municipality of Middlesex Centre Official Plan Amendment 28:

- a) the Civic Administration **BE REQUESTED** to inform the County of Middlesex that the City of London does not object to the approval of Middlesex Centre Official Plan Amendment 28; and,

- b) the County of Middlesex **BE REQUESTED** to work with the Municipality of Middlesex Centre to develop phasing policies to manage Middlesex Centre's rate of growth and the physical expansion of Komoka-Kilworth and Ilderton. (2012-D11-09)

7. Ontario Municipal Board Decision - 4 Erie Avenue

Recommendation: That, the decision of the Ontario Municipal Board relating to the appeal submitted by Leo Belair against the decision of the Committee of Adjustment which refused an application for minor variances, respecting property at 4 Erie Avenue **BE RECEIVED**. (2012-D16-00)

8. Ontario Municipal Board Decision - 50 Jacqueline Street

Recommendation: That, the decision of the Ontario Municipal Board relating to the appeal submitted by Alan Patton, on behalf of John Brotzel against the decision of the Committee of Adjustment which refused an application for minor variances, and the London Consent Authority which did not make a decision on the application for consent, respecting property at 50 Jacqueline Street **BE RECEIVED**. (2012-D16-00/D09-00)

9. Telecommunication Towers (O-7881)

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the issue of municipal control over the location, design and construction of communication towers:

- a) the Telecommunication Facilities report, presented to the Planning and Environment Committee on February 27, 2012, **BE CIRCULATED** to members of the public, major telecommunication carriers, Industry Canada and all interested parties and individuals for review and comment; and,
- b) a public participation meeting at the Planning and Environment Committee **BE HELD** in May, 2012, relating to the Official Plan Amendment to adopt the Telecommunication Facilities Policy Plan. (2012-I11-00)

10. Building Division Monthly Report for January 2012

Recommendation: That the Building Division Monthly Report for January 2012 **BE RECEIVED**. (2012-D05-00)

III. SCHEDULED ITEMS

IV. ITEMS FOR DIRECTION

11. Property located at 43 Saunby Street

Recommendation: That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application by Escalade Property Corp., relating to the property located at 43 Saunby Street:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a duplex dwelling;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the approval of the attached Site Plan for a duplex dwelling; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 27, 2012. (2012-D25-00)

12. Property located at 47 Saunby Street

Recommendation: That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application by Escalade Property Corp., relating to the property located at 47 Saunby Street:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a duplex dwelling;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the approval of the attached Site Plan for a duplex dwelling; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 27, 2012. (2012-D25-00)

13. Property located at 280 Callaway Road

Recommendation: That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application by Domus Developments London Limited, relating to the property located at 280 Callaway Road:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of five buildings with three or four units in each, for a total of 18 street townhouses on the lot;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the approval of the attached Site Plan for five buildings; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 27, 2012. (2012-D25-00)

14. Property located at 28 Watmar Avenue

Recommendation: That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of Anna-Maria and Domenic Annello, relating to the property located at 28 Watmar Avenue:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a single-detached dwelling on a lot to be created on lands at 28 Watmar Avenue;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the approval of the attached Site Plan for a single-detached dwelling; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 27, 2012. (2012-D25-00)

15. Property located at 2020 Hyde Park Road (Z-8009)

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of BFM (London) Enterprise Society, relating to the property located at 2020 Hyde Park Road, the attached by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands **FROM** a Restricted Service Commercial (RSC1/RSC4/RSC5) Zone, which permits animal clinics; automobile rental establishments; automobile repair garages; automobile sales and service establishments; automobile supply stores; automotive uses, restricted; catalogue stores; duplicating shops; home and auto supply stores; home improvement and furnishing stores; kennels; repair and rental establishments; service and repair establishments; studios; taxi establishments; bake shops; convenience service establishments; convenience stores; day care centres; financial institutions; florist shops; personal service establishments; restaurants; video rental establishments; brewing on premises establishments; auction establishments; bakeries; building or contracting establishments; building supply outlets; bulk sales establishments; dry cleaning and laundry plants; manufacturing and assembly industries with related sales; garden stores; printing establishments; service trades; support offices; warehouse establishments; wholesale establishments; commercial schools; truck sales and service establishments; and industrial malls **TO** a Holding Restricted Service Commercial Special Provision (h-11•h-32•RSC1()/RSC4/RSC5) Zone, to permit a retail store (thrift store) with a maximum gross floor area of 1500m², within a portion of the existing building, and to maintain existing parking, subject to holding provisions to ensure that upon future redevelopment a development agreement is entered into with the City of London to provide appropriate access arrangements and that any new development is consistent with the Hyde Park Community Plan and Urban Design Guidelines;

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

- S. Cornwell, Zelinka Priamo Ltd., on behalf of P. Stavrou – indicating that there is a disparity between how the Official Plan and Zoning By-law treat the subject property and Mr. Stavrou's neighbouring property; requesting that the Civic Administration investigate the disparity between possible retail uses on the subject property and properties to the west of Hyde Park Road and report back with policies; advising that there is built form on Mr. Stavrou's site; and reiterating that the policies treat the lands separately. (2012-D11-01)

16. Pellumb Jakupi re property located at 363 Edmonton Street

Recommendation: That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of Pellumb Jakupi, relating to the property located at 363 Edmonton Street:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a single-detached dwelling on a lot to be created on lands at 363 Edmonton Street;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the approval of the attached Site Plan for a single-detached dwelling; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 27, 2012. (2012-D25-00)

17. The Ashfield Group Inc. re property located at 503 York Street (Z-7996)

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the application of The Ashfield Group Inc. relating to the property located at 503 York Street:

- a) the attached revised by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the property located at 503 York Street **FROM** a Restricted Service Commercial (RSC2/RSC4) Zone which permits animal clinics, automobile rental establishments, automobile repair garages, automobile sales and service establishments, automobile supply stores; automotive uses, restricted; bulk beverage stores, dry cleaning and laundry depots, liquor, beer and wine stores, pharmacies, convenience stores, day care centres, duplicating shops financial institutions, florist shops, personal service establishments **TO** a Restricted Service Commercial Special Provision (RSC2()/RSC4()) Zone to add "service office" to the list of above permitted uses with a maximum gross floor area of 2000 m², a minimum lot depth of 48 meters, a front yard setback of 0 meters, a rear lot line setback of 0 meters, a minimum landscaped open space of 5%, a maximum lot coverage of 45% and a 0 meter setback to parking area from ultimate road allowance; and,
- b) the Site Plan Approval Authority **BE REQUESTED** to consider the following design objectives through the site plan process, in accordance with the site plan submitted as part of this application, as shown in the attached Appendix 'B':
 - i) reinforcement of the landscaped screen between York Street and the parking area by extending the landscaped island at the northwest corner of the building west to the entry/exit driveway;
 - ii) enhancement of the pedestrian approach to the westerly entry by widening the sidewalk along the west side of the building and extending the 'courtyard' paving material to this entrance;
 - iii) consideration of placement of the building's principal entrance on the north elevation with the westerly entry utilized as the secondary entrance. Alternatively, redesign the north elevation glazed storefront to downplay the exit;
 - iv) improvement of vehicular movement by deleting the curbed island in the middle of the parking area and aligning the parking stalls;
 - v) improvement of the view and identification of the main west entrance by shifting the two treed landscaped islands to the north and south ends of the middle row;
 - vi) utilization of pervious pavement to the project parking area to enhance the project's sustainability; and,
 - vii) resolution of the directional conflicts inherent within the elevations due to the barrel vaults recommendations noted herein;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D11-01)

18. Old Oak Properties re properties located at 909 Southdale Road West and 3045 Pomeroy Lane (OZ-7988)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Old Oak Properties, relating to the property located at 909 Southdale Road West and 3045 Pomeroy Lane:

- a) the attached by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012 to amend the Official Plan by adding wording to Special Policy 3.5.11 (North Talbot Community) to permit building heights to exceed a maximum of 40 metres through the use of bonus zoning;
- b) the attached revised by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above), to change the zoning of the subject property **FROM** an Urban Reserve (UR) Zone, which permits existing dwellings; limited agricultural uses; conservation land; managed woodlots; wayside pits; and passive recreation use **AND** a holding Residential R9 (h-5•h-53•h-55•h56•R9-7•H40) Zone which permits apartment buildings; lodging house class 2; senior citizens apartment buildings; handicapped persons apartment buildings; and, continuum-of-care facilities, with a maximum height of 40 metres and subject to holding provisions which require: a public site plan review; street-oriented development and consistency with the community plan; a traffic impact study; and, implementation of noise attenuation measures to mitigate noise emanating from Southdale Road West prior to the removal of the holding provisions **TO** a holding Residential R9 Bonus (h-5•h-53•h-55•h56•R9-7•H40•B(_)) Zone to permit the same range of uses and subject to the same holding provisions in the Residential R9 Zone (listed above) as the base zoning and adding a bonusing provision to permit, subject to design approval: a maximum height of 50.5 metres; a maximum density of 207 units per hectare; a minimum south interior side yard depth of 35.0m from the main building; a minimum rear yard depth of 18.1 metres; and, a maximum lot coverage of 40.5%; such increases in height and density shall be permitted in return for the construction of a specified building design which is in accordance with the illustration included as Appendix "C" of the staff report, dated February 27, 2012, that provides for the following design features:
- i) construction of two apartment buildings that are "L" shaped, with terraced profiles that will achieve a maximum height of 50.5m and contains a maximum of 434 dwelling units;
 - ii) the two apartment buildings shall be constructed in a mirror image with one apartment building located at the northeast corner of the subject lands with the two building faces constructed parallel to Southdale Road West and Pomeroy Lane and the other building located at the northwest corner of the subject lands with the two building faces constructed parallel to Southdale Road West and the westerly rear lot line in order to frame public realm;
 - iii) defining the base, middle, and top of the apartment buildings as follows:
 - A) with the base consisting of the portion of the façade between the ground floor and the third and fourth floors and using architectural stone and cornice lines to define the base;
 - B) with the middle consisting of the portion of the façade between the top of the base to the fourteenth floor and using coloured concrete and cornice lines to define the middle; and,
 - C) with the top consisting of the portion of the façade above the fourteenth floor and using coloured concrete differentiated from the middle, floorplate setbacks and a roof form profile to define the top;
 - iv) concentrating the massing and architectural treatment of the eastern apartment building to naturally direct the user to the primary entrances;

- v) the introduction of trees and vegetation along the street frontage to improve the pedestrian experience along this section of Southdale Road;
 - vi) the design and construction of an attractive, curb free paved and landscaped forecourt using unit pavers between the north facade and the Southdale Road West and the east façade and Pomeroy Lane to create an appealing interface between the buildings and the abutting roads;
 - vii) the design of the parking structure elevations to complement the architectural details and materials used in the elevations of the base of the two residential apartment buildings to create visual consistency between the apartment buildings and parking structure;
 - viii) the construction of a 1.8m high solid board privacy fence along the southern property line to provide a visual barrier between the parking structure and the rear yards of the abutting single detached residential lots to the south; and,
 - ix) the planting of a dense row of coniferous trees between the privacy fence and the parking structure to augment the visual barrier between the parking structure and the rear yards of the abutting single detached residential lots to the south;
- c) the Site Plan Approval Authority **BE REQUESTED** to implement the design and landscape features proposed in part b) above, through the Site Plan Approval process; and,
 - d) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the proposed change to the by-law are minor in nature;

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

- M. Hannay, Zelinka Priamo Limited, on behalf of the applicant – expressing support for the application; expressing appreciation to the Planning Staff for the time they spent with the applicant; advising that there is a major topographical drop along the west end of the property from Southdale Road West to Pomeroy Lane; indicating that the parking lot cannot be lowered; noting that in order to have positive drainage you need gravity flow to the sewer; and advising that they will work with the residents to improve the looks of the back of the parking garage.
 - M. McDonagh, 1472 Thornley Street – indicating that her yard is south facing; advising that she sees no reason to have more layers added to the apartment buildings; indicating that more people will be able to view her backyard; and advising that there is already a lot of traffic in the area. (2012-D11-06)
19. 1705820 Ontario Limited (York Developments) re property located at 2118 Richmond Street (OZ-7890)

Recommendation: That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of 1705820 Ontario Limited (York Developments) relating to the property located at 2118 Richmond Street:

- a) the Civic Administration **BE ASKED** to meet with the applicant to request that the application be revised in order that:
 - i) the proposed apartment building is reduced by two floors; and,
 - ii) the proposed townhouses are built first or simultaneously with the apartment building;

- b) the Civic Administration **BE DIRECTED** to report back on the results of the above-noted meeting and to provide advice with respect to potential holding provisions to achieve the following:
- i) site access from Richmond Street only;
 - ii) quality urban design;
 - iii) provision of a view shed study to define the views from the apartment building to the neighbouring properties south of Sunningdale Road and to provide possible remedies;
 - iv) installation of roundabouts as per the submitted proposal; and,
 - v) holding of a public site plan meeting;
- c) the Civic Administration **BE DIRECTED** to provide notice in accordance with the provisions of the *Planning Act*;
- d) the Civic Administration **BE DIRECTED** to prepare a traffic study for the area outside of Sunningdale Road and Richmond Street; and,
- e) the Civic Administration **BE DIRECTED** to widen Sunningdale Road as soon as possible;

it being noted that the Planning and Environment Committee received a communication, dated February 25, 2012, from A. Soufan, York Developments, with respect to this matter;

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

- A. Soufan, York Developments – advising that they have gone through various hybrids; indicating that the proposal has been downgraded to a 113-unit apartment building and eight townhouse units; indicating that the staff recommendation has gone back and forth numerous times; advising that the Tricar property is the same size as the subject property; reiteration of section 3.4.2 of the Official Plan and advising that the application meets the test on all three fronts; advising that the Richmond Street design is to be four lanes, increasing to five lanes at the intersection; advising that Sunningdale Road is to be five lanes, increasing to six lanes at the intersection; indicating that this is a desired mix of housing; indicating that the market conditions change depending on the surrounding area; indicating that this development will not impact the surrounding neighbourhood; advising that Sunningdale Road is buffered by three storey townhouses; indicating that the narrow side of the building will be facing Sunningdale Road; advising that the north boundary of the subject property is bounded by Drewlo Holdings Inc. high density lands; indicating that the proposed sanitary sewers are north of the property; indicating that they are able to contain their own stormwater on the site; advising that he has spoken with the pipeline company and they want to encase the pipe in concrete; ensuring that the City knows first and foremost the he will build what is proposed; advising that the intent is to build the townhouses at the same time as the apartment building; advising that they have reviewed the traffic concerns that the neighbours have expressed; advising that they conducted their own study; indicating that they plan to install two roundabouts at their own expense; advising that a tree preservation plan will be initiated; and advising that there is an existing traffic issue on Sunningdale Road.
- A. R. Patton, Patton, Cormier & Associates, on behalf of Barvest Realty – advising that his clients own the property to the north and west of the Tricar building; advising that an Ontario Municipal Board (OMB) hearing was held in 2009; indicating that the OMB expressed opposition to the planning for the site; and indicating that the application does not conform with the Official Plan and Zoning By-law which is consistent with the previous position.
- C. Munn, 2090 Richmond Street – advising that she lives on the southeast corner of Richmond Street and Sunningdale Road, directly south of the application; advising that she has lived there since 1980 and that when she moved in, Sunningdale Road was a gravel road; advising that it was in the Township of London and had septic systems and wells; commending the Planning Division staff on the report; expressing

opposition to the proposed changes on this application; advising that the applicant is back here with another version; expressing opposition to the last minute changes that are not relevant; indicating that she does not want to keep coming back; advising that with the proposed Sunningdale Road widening, two or maybe all, of the current houses will be gone; advising that there is less land for the applicant; advising that the pipeline is a complicating factor that may need to be moved and indicating that there are serious safety concerns if there is an explosion; advising that there are traffic hazards on Sunningdale Road; advising that Sunningdale Road is not adequate to handle the volume of traffic on it now; advising that there is cut-through traffic on Uplands Avenue; advising that the neighbouring roads are winding and that there are no sidewalks; indicating that the City has posted signs but that no one pays attention to them; advising that the south side of Sunningdale Road is single-family residences and that the applicant is proposing to build buildings higher than the one and two-storey homes; indicating that there is a change from the previous report relating to the three storey townhouses; indicating that the present application is not even close to being adequate; advising that with the proposed widening of Sunningdale Road, it is impossible to build; noting that there is no buffering between the single-family residences as no one has seen a proposal to keep the trees; and requesting that the maximum building height be 13 metres.

- P. Weibe, 73 Sunningdale Road East – advising that he has lived at his residence since 2003; indicating that the Uplands North Plan was part of the annexation in 1993 and was completed in 2003; advising that the process is to come up with plans relating to London's future, such as planning, engineering, Council, traffic; indicating that it is important that the neighbourhood is involved in applications; advising that the strength of the City plan is recognized and that the plan maintains buffering and transition of scale; indicating that the subject site is a small area; advising that this application is located in a medium-density area; advising that traffic on Sunningdale Road is really backed up; advising that previous applications were rejected by Council and the Ontario Municipal Board; advising that London's vision for the future is at stake; enquiring as to the City's responsibility; suggesting that the City is built for all Londoners and that he prefers to see low development; indicating that the developer needs to make concessions; and indicating that he is willing to work together to move London forward.
- D. Nish, 1970 Richmond Street – advising that he lives across the street from the Tricar building; advising that the Tricar building, which is not a good example; indicating that the Ontario Municipal Board ruled in favour of the building but that it should not be there; advising that the Tricar building is not located at a node; advising that there was a huge issue around Plane Tree Avenue; recommending that there be no more developments like that in this area; and that the building should not be used as a benchmark.
- G. Bikas, Drewlo Holdings Inc. – advising that Drewlo Holdings Inc. is the landowner to the north of the subject property; expressing concern with the type of development proposed; advising that an area plan study was completed in 2003 and this application doesn't conform to the land use put forward; indicating that they are bringing forward plans in the next few years for their 191 acres; advising that they have set aside 1.4 hectares for a stormwater management facility; advising that access points will be incorporated within the internal road pattern once Drewlo starts building; and requesting that the lands be kept multi-family, medium density.
- T. Quniton, 29 Sunningdale Road East – advising that there are a number of neighbours in the gallery; and advising that they appointed two neighbours to speak on the neighbourhoods' behalf.
- G. McGinn-McTeer, Stoneybrook Heights/Uplands Community Association – advising that she has spent hours and a depth of discussion on this area; advising that medium-density has been slated for this corridor; advising that the talk about the depth of the valley tells you the amount of detail required to put a neighbourhoods concerns to rest; advising that the Association has attended Council to talk about Blocks 1 and 2; advising that Council did not support the application; indicating that the Ontario Municipal Board advised that if Association's are ignored, it throws into question why neighbourhoods would come out; and Council gives the same message to all neighbourhoods. (2012-D11-06)

20. 2261531 Ontario Limited re property located at 1103 Adelaide Street North (OZ-7972)

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of 2261531 Ontario Limited, relating to the property located at 1103 Adelaide Street North, the following actions be taken:

- a) the attached by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012 to amend the Official Plan to change the designation of the subject lands **FROM** Multi Family High Density Residential, which permits low-rise and high-rise apartment buildings; apartment hotels; multiple-attached dwellings; emergency care facilities; nursing home; rest homes; homes for the aged; and rooming and boarding houses **TO** Neighbourhood Commercial Node, which permits small retail stores; food stores; pharmacies; convenience commercial uses; personal services; financial institutions; service-oriented office uses such as real estate, insurance and travel agencies; community facilities such as libraries or day care centres; professional and medical/dental offices; small-scale restaurants; commercial recreation establishments; and similar uses that draw customers from a neighbourhood-scale trade area;
- b) the attached revised by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject lands **FROM** an Automobile Service Station (SS1) Zone, which permits automobile service stations and gas bars, **TO** a Holding Neighbourhood Shopping Area Special Provision (h-5*h-11*h-64*h-95 NSA1(_)) Zone, which permits a range of neighbourhood scale commercial retail, service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents with a special provision to permit: a reduced rear yard setback from 8 metres to 3.4 metres to recognize the existing building and proposed addition; a reduced setback for parking next to a road allowance and a reduced setback for parking next to a property line from 3 metres to 0 metres to recognize existing parking and proposed parking; a reduced setback for a drive-through lane and speaker from 15 metres to 0 metres with a 2.4 metre high noise attenuation barrier to accommodate a rear drive-through lane with an existing building; a loading space from 1 to 0; and a gross floor area increase from 150 square metres to 416.4 square metres for one proposed restaurant; it being noted that the holding h-5 has been applied to ensure a public site plan review meeting; it being further noted that the holding h-11 has been added to ensure the access arrangements are addressed at site plan review; it being also noted that the holding h-64 has been applied to address noise attenuation and design mitigating measures as recommended in a noise study; it being also noted that the holding h-95 has been added to ensure that urban design is addressed at site plan review;
- c) a holding provision **BE INCLUDED** requiring a traffic impact study to be completed; and,
- d) the Approval Authority **BE REQUESTED** to consider limiting access to Adelaide Street only or to exit onto Huron Street, travelling east;

it being noted that staff believe that the proposed conceptual site plan is not achievable and will have to be modified through the site plan process to meet the parking requirements of the proposed zone;

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

- A. Soufan – advising that he is willing to move forward using the existing shell of the building; advising that he is proposing two units, one for a restaurant and one for a different use; advising that there has been no formal site plan application made; advising that there are four existing access points; noting that he will be closing the two access points closest

to the intersection, which will allow traffic on Adelaide Street to turn right in and out of the parking lot; and advising that he plans to remove the rear portion of the building that juts out so that the building will be square in shape.

- L. Carroll, 897 William Street – expressing opposition to the application; indicating that it is interesting that, with the traffic calming measures undertaken in Old North, there is now a situation where a property will be severed on two sides to provide additional traffic lanes which facilitates cut-through traffic in Old North; advising that putting drive-through traffic on this type of arterial road will attract business from the street, not to attract people from the neighbourhood; suggesting that people will follow Adelaide Street and exit onto Huron Street, noting that Huron Street is a residential area, whereas Adelaide Street isn't; advising that the drive-through will funnel traffic onto Huron Street and into Old North, or the traffic will try to get back onto Adelaide Street, off of Huron Street; advising that the existing building has been at that location longer than its surroundings; indicating that some commercial use is reasonable; indicating that there are fourteen speed bumps on the way to Oxford Street; advising that this will create cut-through traffic; advising that this is not an expressway or there wouldn't be 35,000 cars travelling Adelaide Street; advising that the Planners see Adelaide Street as a residential street; and advising that the first step, as residents, is to say "No".
- R. Joseph, 545 Huron Street – advising that they have lived in their house for almost 30 years; indicating that Councillor Swan promised her that it would be a "Mom and Pop" business; advising that they do not have problems with their neighbours across the street; advising that the former garage was not three garages, but had three bays of cars and was a small operation; advising that the increased traffic is not suitable as there is a nursery school and an old age home across the street; indicating that there is already a 24-hour Metro and a United Food Store in the area; indicating that 55,000 cars go down Adelaide Street; advising that there is another food store with other small stores on Adelaide Street near this area; requesting that a park be located in this spot; realizing that this is a commercial node, but it should not be a commercial site for a drive-through; and advising that she is not trying to be emotional, but she lives across the street.
- C. McDonnell, 525 Huron Street – expressing surprise at this application; advising that there have been a lot of traffic calming applications in Old North; advising that the west side of Adelaide Street is two lanes and is used as a four-way road; indicating that some neighbours have put concrete blocks at the front of their yard to keep people from driving on their lawns; advising that there are no sidewalks on the south side of the street; indicating that the London Transit Commission won't install a bus stop as it is inaccessible; advising that it is amazing that no one has been killed; advising that he has lived in his residence for 10 years; indicating that there is a gravelly patch; indicating that there is a paved shoulder on the other side of the street; advising that people drive at high speeds in the residential neighbourhood; advising that this would sling shot cars into Old North; advising that Huron Street turns left onto William Street at a 90° angle, then turns right onto Huron Street again and people need to correct their steering; advising that the speed and the amount of traffic are concerns; indicating that there is talk about putting in a sidewalk; advising that people that don't live in the area use the streets as a cut-through; advising that putting in a drive-through is for the rest of the people driving down Adelaide Street; advising that the residents can't get out of their own driveways; advising that there is a Wendy's across from the proposed site; advising that there is a Subway and a plaza with a Tim Horton's across the street, as well; advising that the Price Chopper plaza has had vacant store space for 10 years; advising that the jewelry store recently closed; requesting that a compromise to medium-density be made; advising that this application is not in the interest of the neighbourhood; and indicating that it will create more problems.
- B. Weisdorf, 528 Huron Street – advising that living in the neighbourhood is convenient as she can walk across the street to get what she needs; advising that she has lost pets to cars; indicating that, on paper, the application looks perfect; advising that she is a single mother with five children; indicating that she would like to remain in this neighbourhood; enquiring as to how many evenings she is going to be able to sit on her

deck; questioning why anyone would think that this is wonderful; expressing confusion about people speaking about high density and that the land is not zoned for what they want to put there; advising that the applicant is recommending a change that doesn't need to be made; advising that it is not so perfect when you have children and elderly people in the neighbourhood; advising that this is not pedestrian friendly; enquiring as to how safe it will be for her or anyone else to cross the applicant's driveway with cars coming and going from the proposed drive-through; indicating that they do not need more commercial in this area; advising that she won't be getting in her car to drive to the restaurant; indicating that she doesn't want to hear a person asking to take an order 24/7; advising that Harry's was only open from 8:00 a.m. to 6:00 p.m. and until noon on Saturday; enquiring as to how many people will be loitering in the area and throwing their garbage on lawns; advising that the staff report indicates that a lot of what the applicant is asking for exceeds what is allowed on the property; advising that there is a bus stop beside the driveway; indicating that she has seen people, at rush hour, tired of waiting for her to turn into her driveway; advising that the problem makes headache after headache; advising that they pay for the maintenance of the Synagogue parking lot, which is located behind the applicant's site; indicating that she doesn't like cars idling; and advising that Huron Street will receive the brunt of all of the traffic.

- J. Chan, 521 Huron Street – advising that everyone has been here all night, that the Committee is three hours behind and that everyone is tired; advising that he has lived in his residence for over 30 years; advising that it is a beautiful place to raise children; advising that there is wilderness around the corner; indicating that there is lots of open space and that the houses are wide apart; indicating that he has to wait to turn onto Huron Street when the light is amber because he can't see traffic coming; advising that, with the installation of a drive-through, people will be coming from the north and when he comes to Huron Street, he can't get onto Huron Street; advising that this application is at the intersection of two busy streets and recommending that people imagine trying to get into the drive-through; advising that another fast-food restaurant is not needed; indicating that there is a Tim Horton's and a Wendy's in the area; advising that it will change the way that people on the west side of Adelaide Street live; requesting that the west side be kept quiet; requesting that people imagine seeing lights 24 hours a day; indicating that people may use people's driveways to turn around in; advising that the amount of traffic creates danger for all who live there; advising that there are 11 houses on this block of Huron Street; and recommending that it be kept as quiet and livable as possible.
- S. Holmes, 383 Huron Street – advising that the applicant mentioned four access points and that out of goodwill, he will cut that down to one and a half; suggesting that an island be placed on the north side of Adelaide Street; advising that the bulk of traffic will be placed onto Huron Street at some point; advising that this will be forcing 75% of the patrons onto a residential street; advising that traffic is already a problem; and requesting that the Committee think of the residents of Old North.
- S. Boersen, 310 Huron Street – advising that there is a significant difference between the commercial properties on the east and west sides of Adelaide Street; noting that the west side of the street has single-family residences that have been converted to businesses; advising that, on the west side of the street, there is not much garbage or noise and the businesses have restricted hours; advising that, on the east side of the street, the businesses are set back from the road, there are sound barriers and there is a multi-unit apartment complex; advising that there are 14 homes in a block on Huron Street; indicating that this is not how a collector street is built; advising that it is a residential street and that it is the entrance to Old North; indicating that what is being suggested is that all north-bound traffic being forced onto Huron Street; advising that people don't want to wait for traffic, so they do a u-turn into driveways or drive through the neighbourhood; recommending that the Huron Street collector be distinguished from the Huron Street residential; indicating that the street should look more residential; expressing surprise as she is not sure what the Committee is voting on; advising that the applicant needs six different special zonings; advising that the intersection has a 47% collision rate, and enquiring as to why the application is even here.

- A. Gannon, 115 Thornton Avenue – indicating that she lives in Old North; and requesting that the drive-through option be reconsidered.
 - Rabbi, Or Shalom Congregation, 540 Huron Street – advising that the Synagogue operates a day school and a pre-school and that they have a regular flow of children that cross Huron Street; advising that people can't get out of their driveways during rush hour; advising that it is important to hear what the people want; expressing surprise that the people for the application on Richmond Street were heard and then were out-voted; and advising that there is a significant pedestrian flow of children.
 - C. McKee, 520 Huron Street – advising that she lives on the bend of Huron Street and William Street; advising that cars speed and sometimes flip over or crash into the barrier because they drive too fast; advising that she never lets her son go to the end of the driveway; and advising that this isn't going to keep people safe.
 - J. Classic, 530 Huron Street – advising that when he came to Canada, he looked for "For Sale" signs in a good area; and indicating that he cannot get out of his laneway.
 - M. Joseph, 545 Huron Street – advising that with a drive through, car lights will shine into his bedroom.
 - B. Hickey, 541 Huron Street – expressing concern with the safety of the residents; experiencing conflict with people who want to turn left into the Jewish Centre; advising that there is a bus stop in front of her property; advising that the roadway is not big enough to accommodate what is there now; and advising that there will be lights shining in people's windows.
 - K. Gannon, 383 Huron Street – expressing opposition to the application; advising that it will increase the traffic to her part of Huron Street and indicating that it doesn't flow with the neighbourhood. (2012-D11-07)
21. Sifton Properties Limited re property located at 1551 Blackwell Boulevard (39T-08504/Z-7521)

Recommendation: That, notwithstanding the recommendation of the Managing Director of the Development Approvals Business Unit and the Manager, Development Planning, a special meeting of the Planning and Environment Committee **BE HELD** on Tuesday, March 20, 2012 at 3:00 p.m., at which time Sifton Properties Limited and representatives from the North Park Church will provide an update on their discussions relating to the property located at 1551 Blackwell Boulevard;

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

- M. Zunti, Sifton Properties Limited – advising that Sifton Properties Limited has been working on this application on and off for three years; indicating that they have been working with representatives from the Church on issues of drainage, servicing and access; advising that she believes that they can achieve a mutually beneficial solution; advising that Sifton is willing to consider providing access through the subdivision, with conditions; and asking that the Approval Authority support draft approval, if Sifton and the Church cannot arrive at an agreement in two or three weeks.
- A. R. Patton, Patton Cormier & Associates, on behalf of North Park Church – advising that this has been an on again and off again situation; advising that he has been aware of this file since 2009; advising that the Church received the proposal to provide access to Blackwell Road on Saturday; indicating that they have not had time to get the proposed plan to their engineers; advising that there is possibly both ground and surface water concerns; advising that there needs to be comprehensive service for sanitary, access and sewer; supporting Mr. D. Aille's comments that the staff report be referred back; requesting that the matter be adjourned and held at a future meeting; and advising that the issues need to be resolved.
- R. Antuma, Delcan, on behalf of Sifton Properties Limited – indicating that the depression on Sifton lands is the result of a glacial kettle; advising that it is beneficial to both parties to alleviate the existing ponding water; the construction will allow a private drain connection (pdc)

which will assist in alleviating the church's drainage issue; indicating that storm and sanitary pdc's will be constructed this summer when Fanshawe Park Road is widened; the construction of the pdc's will provide an outlet for the Church; advising that there has been co-operation between Sifton and the Church; and recommending that the application move forward. (2012-D11-07)

22. Amendments to the Official Plan and Zoning By-law to Provide Appropriate Opportunities for the Siting of Methadone Clinics and Methadone Pharmacies Within the City of London (OZ-8004)

Recommendation: That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to methadone clinics and methadone pharmacies in the City of London:

- a) the attached by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012, to amend the Official Plan to establish new policies to plan for methadone clinic and methadone pharmacy land uses;
- b) the attached by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 20, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above), to:
 - i) add new, and amend existing, definitions in Section 2 to define methadone clinics and methadone pharmacies;
 - ii) add a new Section "4.36 Clinic, Methadone and Pharmacy, Methadone Uses to stipulate that these uses shall be permitted through amendment to the zoning by-law; that these uses shall not be permitted within 300 metres (984.3 ft.) of an elementary or secondary school; a municipal pool, a municipal arena, a municipal library or the Western Fairgrounds; and, methadone clinics shall require a waiting room area of no less than 15% of the total gross floor area;
 - iii) add new parking regulations to Section 4.19 to provide for "Clinic, Methadone" and "Pharmacy, Methadone" uses; and,
 - iv) add the Boys and Girls Club to Section 4.36, "Clinic, Methadone and Pharmacy, Methadone", to include a 300 metre separation distance from the Boys and Girls Club, recognizing that this facility attracts large numbers of children much like schools, libraries, pools and arenas;
- c) the final "Planning for Methadone Clinics and Methadone Pharmacies" background study date February, 2012, Appendix C, and the associated Methadone Research Compendium (Volumes 1, 2 and 3) that have been posted on the City's website at www.london.ca/methadonestudy **BE RECEIVED**;
- d) recognizing that the commercial corridor along Horton Street, between Wellington Street and Colborne Street, is to become a pedestrian-oriented main street, consistent with the SOHO Community Improvement Plan and the proposed road allowance improvements approved by Council, the Civic Administration **BE DIRECTED** to initiate an Official Plan amendment to re-designate these lands from Auto-oriented Commercial Corridor to Main Street Commercial Corridor;
- e) the Mayor **BE REQUESTED** to write a letter, on behalf of Municipal Council, to the Minister of Health and Long-Term Care encouraging the Minister to put in place legislation to regulate community consultation practices, maximum patient volumes, minimum facility standards and management and operational requirements of methadone clinics and dispensaries so as to ensure that clients are served effectively and with dignity and that the potential for neighbourhood impacts are minimized; and,

- f) a special meeting of the Planning and Environment Committee **BE HELD** on Tuesday, March 20, 2012 at 3:00 p.m., to receive a report from the City Solicitor with respect to whether or not the proposed amendments restrict human rights and to receive a report from the Manager, By-law Enforcement with respect to the enforceability of the proposed by-law;

it being noted that Interim Control By-law No. 1476-298 is in force and effect until May 15, 2012, after which time the By-law that “holds the status quo” for methadone clinics and methadone pharmacies will lapse;

it being also noted that the Planning and Environment Committee received the following communications with respect to this matter:

- a communication, dated February 24, 2012, from B. Hall, Chief Commissioner, Ontario Human Rights Commission;
- a communication from M. Woodward, SoHo Executive, SoHo London Community Association;
- a communication, dated February 22, 2012, from G. Thompson, President, Urban League of London;
- a communication, dated February 23, 2012, from S. Merritt, Manager, Old East Village BIA;
- a communication, dated February 24, 2012, from H. Blackwell, Director, Corporate Affairs, Western Fair District;
- a communication, dated C. Harvey, Director of Operations, Boys and Girls Club of London; and,
- a communication from W. Dickinson, Planning Chair, The Woodfield Community Association;

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

- A. Kussner, Weirfoulds, on behalf of Shoppers Drug Mart – advising that there are 24 Shoppers Drug Mart stores in London; expressing appreciation for the Civic Administration’s efforts in this matter; expressing concern with a number of the proposals; advising that a major concern is the definition of methadone pharmacy; indicating that the previous definition was overly broad and that this definition is still too broad; advising that the Shoppers Drug Mart, in the Wharncliffe Plaza, dispenses methadone to over 30 patients; advising that that pharmacy fills over 170,000 prescriptions a year, which is 465 prescriptions a day; noting that methadone is only 7% of the prescriptions that are filled; advising that there is no differential land use impact; advising that you would be unable to tell the difference between this pharmacy and a pharmacy that does not dispense methadone; advising that the Ontario Municipal Board concluded that a clinic is a distinct land use; advising that the definition in the Interim Control By-law is more restrictive; indicating that it is an arbitrary decision; advising that all pharmacies are tarred with the same brush; indicating that this exceeds the City’s jurisdiction in health care matters; advising that other concerns flow from the definition under the *Planning Act*; indicating that there is a reference to the public site plan process which provides an opportunity for a public forum, such as this one; advising that the proposed minimum distance separation between methadone pharmacies and schools is unwarranted and excessive; advising that currently 12 Shoppers Drug Marts are located within 300 metres of public or secondary schools; advising that there is no due regard for intent to continue operating in the future; expressing appreciation for the concerns expressed by the City; indicating that care and concern is paid to public concerns; indicating that the recommendations cast too far a net; and advising that it is unsupportable from the land use planning perspective.
- A. R. Patton, Patton Cormier & Associates, on behalf of the Ontario Addiction Treatment Centres (OATC) – advising that the OATC operates 42 methadone clinics throughout Ontario; expressing support for many of Mr. Kussner’s comments; advising that the OATC is the largest methadone provider and have not been consulted by Planning Staff; indicating that in 1991, the ARP, acting as the AIDS Committee of London, operated the hospice on Dufferin Avenue, which was strongly

opposed by the community association; it being noted that the community association expressed opposition to the presence of death in the neighbourhood; advising that the hospice has now moved to a larger facility on Central Avenue; indicating that people fear the unknown; advising that for a year and a half, staff have been studying methadone clinics on the understanding that there were five in the City; indicating that an Interim Control By-law has been proposed and that 80% of the clinics were not even known; indicating that the clinic at 528 Dundas Street moved to that location after operating for many years at another location in the City; indicating that the clinic on Dundas Street is a problem; advising that there are new restrictions being placed on methadone clinics; advising that the Ontario Human Rights Commissioner has provided remarks and a warning on the Planning and Environment Committee Added Agenda; advising that his client has two concerns with the documents that have been put forward for approval; advising that methadone clinics are operating unobtrusively in the city; advising that there does not need to be a site plan public participation meeting on this matter; expressing concern with the maximum of 30 clients per day; indicating that the City has a major oxycontin problem; advising that there is a new drug called oxyneo that is causing problems; indicating that if this true, there is more need for methadone clinics; expressing opposition to the public site plan process; advising that last year, in a small town, his client opened a methadone clinic; noting that when it became known that it was a methadone clinic, there was great concern; advising that when the municipality realized that it could not stop the methadone clinic, it used the licensing by-law to try to stop the opening of the clinic; advising that the municipality was advised that it was illegal to do this but went ahead anyway; noting that the municipality is now looking at lowering the fee for the clinic to \$500 or less; questioning the ability of enforcement as the patient log would identify the patient by name, number or anything else and would be a breach of client confidentiality; and expressing concern with the legality of the by-law to control a federally regulated drug.

- K. Wilkinson, Thames Valley District School Board – requesting that the uses be planned to avoid potential impact; indicating that a communication was provided to the previous Mayor on November 1, 2005, with respect to the clinic at 528 Dundas Street; indicating that a communication was provided to the Built and Natural Environment Committee expressing concern with the placement of methadone clinics in close proximity to schools; advising that the Thames Valley District School Board was represented at a public meeting with respect to this matter; advising that under Section 4.3.3., with the requirement to have methadone clinics a minimum distance of 300 metres from schools, it would solve the issues at 528 Dundas Street; advising that having a waiting room would also be of assistance; it being noted that the Thames Valley District School Board encompasses a large geographic area; and commending the City and staff for this undertaking.
- D. MacPherson, Principal, H.B. Beal Public School – (see attached presentation).
- C. Harvey, Boys and Girls Club – advising that 50,000 children and youth visit the Boys and Girls Club; indicating that their Board of Directors is generally supportive of the recommendations; expressing concern that the buffer does not include the Boys and Girls Club; expressing concerns about the proposed clinic to be built near the Club; expressing concern about the safety of visitors to the Club; and requesting that the Boys and Girls Club be added to the buffer.
- W. Pol, on behalf of Dr. Sidhu, 502 Oxford Street East – advising that Dr. Sidhu has been operating at this location for 18 months and has 350 patients; advising that Dr. Sidhu has had no problems or complaints and there are no off-site impacts; advising that 528 Dundas Street continues to operate as a clinic; advising that reducing existing sites may cause problems; advising that we are talking about one drug – methadone; advising that suboxol is an alternative to methadone; advising that in one year's time, the staff will be preparing a study on this new drug; recommending that an analysis be prepared on the number of proposed sites to determine which ones are zoned for medical-dental uses; advising that the issues of drug addiction, HIV, etc., are multi-dimensional; and warning that the City should not reduce opportunities and risk

discrimination.

- B. Sexsmith, 120-1231 Sandford Street – expressing frustration; advising that he has been working with the City on this matter; advising that people are talking about legal niceties; advising that people have been working on this for four years; indicating that he knows that there are a lot of problems on the streets; suggesting that people be given a chance; advising that this is a NIMBY problem; advising that it is confusing having drug stores looking after methadone; noting that he is not as concerned with drug stores; advising that the City felt, with all the time and effort, it is important to the residents in the City; advising that it is about time that other Londoners are paid attention to; and this is the first attempt to address citizen concerns.
- K. Wheeley – advising that she is recovering; indicating that she hears discrimination; advising that she no longer sticks needles in her arms; enquiring as to what kind of message the City is sending; advising that this is a human rights issue and should not be put aside for any reason; and indicating that they have the same rights as everyone else.
- Dr. Sidhu, 502 Oxford Street East – acknowledging that Mr. W. Pol is representing him; indicating that there is a drop-in centre next to 528 Dundas Street; indicating that 528 Dundas Street is not a problem by itself, but that the patients have nowhere else to go; advising that to say that methadone clinics should be in one area is discrimination; and suggesting that a fee be applied to all doctor's offices, not just methadone clinics.
- A. Ford – advising that this is a large problem; indicating that this is more of a problem in certain areas; advising that this is only part of a bigger issue and advising that there are substitutes for methadone.
- S. Lawrence, 30 Redwood Lane – advising that he has been listening to the discussion for a long time; advising that he has nothing against the clinics; requesting the Planning and Environment Committee to vote for the amendments; advising that he lost his brother to an overdose; recommending that clinics not be opened anywhere; advising that drug dealing is done for profit; and indicating that some clinic owners own 6 or 7 clinics and don't live in London. (2012-C06-00/D11-00)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. ADJOURNMENT

The meeting adjourned at 12:58 a.m.