

9TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on May 9, 2016, commencing at 4:00 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: Councillor M. Cassidy and M. van Holst; G. Barrett, M. Elmadhoon, J.M. Fleming, S. Galloway, T. Grawey, N. Hall, P. Kokkoros, J. MacKay, A. MacLean, A. Macpherson, J. Ramsay, M. Ribera, C. Saunders, C. Smith, C.R. Smith, M. Tomazincic, B. Turcotte, S. Wise and J. Yanchula.

I. CALL TO ORDER

1. That Councillor P. Squire disclosed an interest in clause 10 of this Report having to do with the application by Sunningdale Golf and Country Club Limited, relating to the property located at 259 Sunningdale Road West, by indicating that he is a member of the Sunningdale Golf and Country Club Limited.

II. CONSENT ITEMS

2. 5th Report of the Environmental and Ecological Planning Advisory Committee

That the following actions be taken with respect to the 5th Report of the Environmental and Ecological Planning Advisory Committee (EEPAC) from its meeting held on April 21, 2016:

- a) the revised Working Group comments relating to the Richmond Street Pedestrian Pathway Connection appended to the 5th Report of the EEPAC BE FORWARDED to the Civic Administration for consideration;
- b) N. St. Amour BE APPOINTED as the EEPAC representative to the Advisory Committee on the Environment;
- c) the Dark Sky Initiative Working Group consisting of representatives from the EEPAC and the Advisory Committee on the Environment BE REQUESTED to also consider bird deaths in relation to high rise buildings; it being noted that the EEPAC Working Group consists of L. Des Marteaux, A. Boyer, K. Doughty, S. Hall, C. Kushnir and N. St. Amour; and,
- d) clauses 1 to 9, 12 and 13, BE RECEIVED.

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park (4)

3. Fibre Optic Connection Grant Pilot Program for Downtown London

That, on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the City Manager, the revised by-law appended to the May 9, 2016 Planning and Environment Committee Added Agenda BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 to replace Schedule "A" of By-law No. C.P.-1467-175 being "A by-law to establish financial incentives for the Downtown Community Improvement Project Areas" with a new Schedule "A" entitled "Last Mile"/Fibre Optic Connection Grant Program". (2016-F11A)

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park (4)

4. Shipping Containers and Trailers

That, on the recommendation of the Managing Director, Development and Compliance Services and the Chief Building Official, on the advice of the Manager, Development Planning, the following actions be taken with respect to the use of shipping containers as accessory structures in residential areas:

- a) the Managing Director, Development and Compliance Services and the Chief Building Official's report dated May 9, 2016, BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to initiate an application to amend the Zoning By-law and the Site Plan Control By-law to implement provide regulations for shipping containers and trailers as outlined in the above-noted report. (2016-D04)

Motion Passed

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

5. Properties located at 776-802 Killarney Road

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Auburn Developments Inc. and the Thames Valley District School Board, relating to the properties located at 776-802 Killarney Road:

- a) the proposed by-law appended to the staff report dated May 9, 2016 BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 to deem Lots 45 to 50 inclusive, on Registered Plan 33M-580, City of London, County of Middlesex, not to be in a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*;
- b) the City Clerk BE DIRECTED to provide notice of the by-law passing and undertake registration of the Deeming By-law, in accordance with the provisions in subsections 50(28) and 50(29) of the *Planning Act*; and,
- c) the applicant BE REQUIRED to pay for any costs incurred to register the deeming by-law at the land registry office. (2016-D14)

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park (4)

6. Property located at 255 South Carriage Way (H-8577)

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the application of Kenmore Homes (London) Inc., relating to the property located at 255 South Carriage Road:

- a) the proposed by-law appended to the staff report dated May 9, 2016, BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 255 South Carriage Road FROM a Holding Residential R1 Special Provision (h*h-100*R1-3 (4)) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-13 (6)) Zone and a Holding Neighbourhood Facility/Residential R1 Special Provision (h*h*100* NF1/R1-3 (4)) Zone TO a Holding Residential R1 Special Provision (h-100*R1-3 (4)) Zone, a Holding Residential R1 Special Provision (h-100*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h-100*R1-13 (6)) Zone and a Holding Neighbourhood Facility/Residential R1 Special Provision (h-100*NF1/R1-3 (4)) Zone to remove the h. holding provision; and,

- b) the application to change the zoning of the properties located at 255 South Carriage Road FROM a Holding Residential R1 Special Provision (h-100*R1-3 (4)) Zone, a Holding Residential R1 Special Provision (h-100*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h-100*R1-13(6)) Zone and a Holding Neighbourhood Facility/Residential R1 Special Provision (h*100* NF1/R1-3 (4)) Zone TO a Residential R1 Special Provision (R1-3 (4)) Zone, a Residential R1 Special Provision (R1-3 (8)) Zone, a Residential R1 Special Provision (R1-13 (6)) Zone and a Neighbourhood Facility/Residential R1 Special Provision (NF1/R1-3 (4)) Zone BE DEFERRED until such time as a second public access and water looping is provided. (2016-D09)

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park (4)

7. Property located at 3300 Castle Rock Place (H-8559)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Kirkness Consulting Inc., relating to the property located 3300 Castle Rock Place, the proposed by-law appended to the staff report dated May 9, 2016, BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R5/R6 (h.h-54.h-71.h-100.h-104.h-137·R5-4/R6-5) Zone TO a Holding Residential R5/R6 (h-137·R5-4/R6-5) Zone to remove the “h”, “h-54”, “h-71”, “h-100” and “h-104” holding provisions. (2016-D09)

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park (4)

III. SCHEDULED ITEMS

8. Property located at 1602 Sunningdale Road West (Z-8587)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Foxwood Development (London) Inc., relating to the property located at 1602 Sunningdale Road West, the proposed by-law appended to the staff report dated May 9, 2016, BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 Special Provision (h*h-100*R1-4(26)) Zone, which permits single detached lots with a minimum lot frontage of 12m, a minimum lot area of 360m², a 3.0m minimum and 4.5m maximum front yard setback to a dwelling, a 6.0m minimum setback to a garage and a maximum lot coverage of 40% TO a Holding Residential R1 Special Provision (h*h-100*R1-4(*)) Zone, which permits single detached lots with a minimum lot frontage of 12m, a minimum lot area of 360m², a 4.5m minimum and a 7.5m maximum front yard setback to a dwelling, a 5.5m minimum setback to a garage and a maximum lot coverage of 45%; it being noted that holding provisions are included to ensure that municipal services are provided and that a development agreement is entered into with the City;

it being pointed out that at the public participation meeting associated with this matter, the individual indicated on the attached public participation meeting record made an oral submission regarding this matter. (2016-D09)

Voting Record:

Motion Passed

YEAS: P. Squire, J. Helmer, P. Hubert, T. Park (4)

NAYS: S. Turner (1)

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)

9. Property located at 195 Dundas Street (TZ-8592)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Ayerswood Development Corp., relating to the property located at 195 Dundas Street, the attached, revised, by-law BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016, to amend Zoning By-law Z.-1, (in conformity with the Official Plan), by extending the Temporary Use (T-54) Zone for a period not exceeding one (1) year;

it being pointed out that at the public participation meeting associated with this matter, the individual indicated on the attached public participation meeting record made an oral submission regarding this matter. (2016-D09)

Voting Record:

Motion Passed

YEAS: P. Squire, P. Hubert, T. Park, S. Turner (4)

NAYS: J. Helmer (1)

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)

10. Property located at 259 Sunningdale Road West (OZ-8094)

That, on the recommendation of the Senior Planner, Development Planning, the following action be taken with respect to the request from Sunningdale Golf and Country Club Limited, relating to the property located at 259 Sunningdale Road West:

- a) the proposed by-law appended to the staff report dated May 9, 2016 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 to amend the Official Plan to change the designation of the subject lands FROM a Low Density Residential designation TO an Open Space designation; and,
- b) the proposed by-law appended to the staff report dated May 9, 2016 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 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 (UR4) Zone and an Open Space (OS5) Zone TO an Open Space (OS1) Zone;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter. (2016-D09)

Voting Record:

Motion Passed

YEAS: J. Helmer, P. Hubert, T. Park, S. Turner (4)

Motion to open the public participation meeting.

Motion Passed

YEAS: J. Helmer, P. Hubert, T. Park, S. Turner (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: J. Helmer, P. Hubert, T. Park, S. Turner (4)

11. Property located at 1880 Phillbrook Drive (OZ-8584)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Adelaide and Phillbrook Centre Inc., relating to the property located at 1880 Phillbrook Drive:

- a) the proposed by-law appended to the staff report dated May 9, 2016 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 to amend the Official Plan to change the designation of the subject lands FROM a Multi-Family, Medium Density Residential designation TO an Office Area designation;
- b) the proposed by-law appended to the staff report dated May 9, 2016 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 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 Neighbourhood Facility/Residential R1 (NF/R1-1) Zone TO a holding Office Special Provision (h-103*OF4(_)) Zone; and,
- c) the Site Plan Approval Authority BE REQUESTED to consider the following design objectives through the site plan process, prior to the removal of the h-103 holding provision:
 - i) ensure street orientation by including the following:
 - A) front the primary building façade to the Adelaide Street frontage;
 - B) include the primary entrances into individual ground floor unit along the Adelaide Street frontage;
 - C) include walkways from the City sidewalk to individual unit entrances; and,
 - D) include large transparent storefront windows on facades facing Adelaide Street and Phillbrook Drive;
 - ii) include a hard surface plaza at the intersection of Phillbrook Drive and Pennybrook Crescent, with seating, landscaping, pedestrian scale lighting, and an east-west walkway through the centre of the space, in order to implement the "Pocket Park" shown on the conceptual site plan submitted in consideration of the zoning by-law amendment;
 - iii) include a combination of low landscape walls and landscaping along the Phillbrook Drive and Pennybrook Crescent frontages in order to screen the parking area from the street;
 - iv) include a hardscape forecourt at the intersection of Adelaide Street and Phillbrook Drive extending from the intersection of City sidewalks to the proposed building;

- v) include a pedestrian walkway along the south property line in order to allow for convenient access between the parking area and the unit entrances along Adelaide Street;
- vi) include durable building materials, particularly at the base of the building;
- vii) increase the visual prominence of the primary building entrances, within the proposed west and east building elevations;
- viii) provide individual canopies overtop each commercial building entrance, to enhance the articulation of the façade and the rhythm of commercial bays; and,
- ix) holding a public site plan meeting;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter. (2016-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)

IV. ITEMS FOR DIRECTION

12. 5th Report of the Trees and Forests Advisory Committee

That the following actions be taken with respect to the 5th Report of the Trees and Forests Advisory Committee from its meeting held on April 27, 2016:

- a) the Civic Administration BE REQUESTED to consider including the communication appended to the 5th Report of the Trees and Forests Advisory Committee (TFAC) with respect to the bi-annual Urban Forest Strategy update; it being noted that the TFAC will extend an invitation to the members of the Planning and Environment Committee when these updates are presented;
- b) the Civic Administration BE REQUESTED to consider the proposed recommendations appended to the 5th Report of the Trees and Forests Advisory Committee with respect to the City of London's "Design Specifications and Requirements" and the "Climate Change Action Plan" and tree planting; it being noted that I. Listar, Urban Forester, provided additional information to the TFAC with respect to this matter; and,
- c) clauses 1 to 5, 7 and 9, BE RECEIVED.

Motion Passed

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

13. Green Roofs

That the Civic Administration BE REQUESTED to report back at a future meeting of the Planning and Environment Committee with respect to potential policy and/or by-law changes that would provide a mechanism by which green roofs could be included in the calculation of required landscape open space. (2016-E04)

Motion Passed

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

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VI. CONFIDENTIAL

The Planning and Environment Committee convened in camera from 6:36 PM to 6:43 PM after having passed a motion to do so, with respect to the following matter:

C-1. A matter pertaining to litigation or potential litigation with respect to construction lien actions arising out of the Market Lane redevelopment project; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose with respect to construction liens arising out of the Market Lane redevelopment project.

VII. ADJOURNMENT

The meeting adjourned at 6:45 PM.