

14TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on August 22, 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: Councillors M. Cassidy, A. Hopkins and M. van Holst; J. Adema, G. Barrett, J. Braam, M. Corby, M. Elmadhoon, J.M. Fleming, S. Galloway,, T. Grawey, M. Johnson, P. Kokkoros, G. Kotsifas, E. Ling, I. Listar, A. Macpherson, L. Maitland, L. Marshall, L. Pompillii, A. Salton, C. Saunders, C. Smith, S. Spring, M. Tomazincic, S. Wise and J. Yanchula.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

2. 8th Report of the Advisory Committee on the Environment

That the 8th Report of the Advisory Committee on the Environment from its meeting held on July 20, 2016, BE RECEIVED.

Motion Passed

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

3. 8th Report of the Environmental and Ecological Planning Advisory Committee

That the 8th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on July 21, 2016, BE RECEIVED.

Motion Passed

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

4. Changes to the *Planning Act* through the *Smart Growth for our Communities Act (Bill 73)*

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated August 22, 2016, relating to the changes to the *Planning Act* through the *Smart Growth for our Communities Act (Bill 73)* BE RECEIVED for information;

it being noted that further staff reports will be provided to address specific policy and process changes required as a result of the *Smart Growth for Our Communities Act (Bill 73)*, including:

- public participation and engagement in the planning process, including notice procedures and policies;
- complete application requirements to include a proposed strategy for consulting with the public with respect to the request;
- consideration of exception to the two year “time-out” on privately initiated applications to The London Plan and other instances where the time-out provision applies; and,
- update processes for receiving funds through bonusing agreements or as cash-in-lieu of parkland dedication. (2016-A02)

Motion Passed

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

5. Inclusionary Zoning in Bill 204, *The Promoting Affordable Housing Act, 2016*

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to Inclusionary Zoning in Bill 204, the *Promoting Affordable Housing Act, 2016*:

- a) the staff report dated August 22, 2016, relating to Inclusionary Zoning in Bill 204, the *Promoting Affordable Housing Act, 2016* BE RECEIVED for information;
- b) the above-noted report BE FORWARDED to the Ministry of Municipal Affairs in response to the Inclusionary Zoning Consultation Discussion Guide regarding changes to the *Planning Act* as proposed in Schedule 4 of Bill 204, the *Promoting Affordable Housing Act, 2016*; and,
- c) the Ministry of Municipal Affairs BE ADVISED that the City of London would appreciate the opportunity to provide comments on any further changes to the *Planning Act* or future regulations associated with the *Promoting Affordable Housing Act, 2016*. (2016-S11)

Motion Passed

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

6. Property located at 1192 Highbury Avenue North (OZ-8463)

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated August 22, 2016, entitled "Application by York Developments (London) Inc., 1192 Highbury Avenue North, meeting on August 22, 2016" BE RECEIVED for information. (2016-D09)

Motion Passed

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

7. Proposed New Sign By-law and Amendments to Current Sign and Canopy By-law

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the proposal for a new draft Sign By-law and two amendments to the current Sign & Canopy By-law:

- a) the staff report dated August 22, 2016, with respect to the proposal for a new draft Sign By-law and two amendments to the current Sign & Canopy By-law, BE RECEIVED; and,
- b) the proposed by-law appended to the staff report dated August 22, 2016, BE REFERRED to a public participating meeting to be held at the Planning and Environment Committee at its meeting to be held on October 17, 2016, for the purpose of seeking public input on the proposed by-law and amendments to the current by-law; it being noted that the Civic Administration will consult with industry stakeholders, Business Improvement Associations and other interested parties in order to attempt to balance the needs of service/product marketing with safety and aesthetic standards. (2016-P01)

Motion Passed

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

8. Property located at 1061 Richmond Street (H-8657)

That, on the recommendation of the Senior Planner, based on the application of Zelinka Priamo Ltd., relating to the property located at 1061 Richmond Street, the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Neighbourhood Facility Special Provision Bonus (h-5*Nf1(14)*B-24) Zone TO a Neighbourhood Facility Special Provision Bonus (NF1(14)*B-24) Zone to remove the h-5 holding provision. (2016-D09)

Motion Passed

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

9. Lots on Cranbrook Road and Thornley Street (H-8634)

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the application of Norquay Buttonbush Land Corp., relating properties located at 1200, 1201, 1211, 1203, 1204 Cranbrook Road and 1237, 1249, 1254, 1258 and 1415 Thornley Street:

- a) the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Residential R1 Special Provision (h-108*R1-6(4)) Zone TO a Residential R1 Special Provision (R1-6(4)) to remove the "h-108" holding provision on properties located at 1201 and 1211 Cranbrook Road and 1415 Thornley Street; and,
- b) the application to change the zoning on the remainder of the blocks FROM a Holding Residential R1 Special Provision (h-108*R1-6(4)) Zone TO a Residential R1 Special Provision (R1-6(4)) to remove the "h-108" holding provision BE DEFERRED until such time as the lands are consolidated with abutting lands. (2016-D09)

Motion Passed

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

10. Properties located at 1175 and 1205 Hyde Park Road (H-8646)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Westdell Corporation, relating to the properties located at 1175 and 1205 Hyde Park Road, the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Restricted Service Commercial Special Provision (h-112*RSC1 (16)/RSC3/RSC4/RSC5) Zone TO a Restricted Service Commercial Special Provision (RSC1 (16)/RSC3/RSC4/RSC5) Zone to remove the "h-112" holding provision. (2016-D09)

Motion Passed

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

11. Silverfox Crescent (Part of Blocks 77 and 81 in Plan 33M-622) (P-8349)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Prosperity Homes Limited, to exempt the following lands from Part Lot Control:

- a) the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August

30, 2016, to exempt part of Block 77 in Plan 33M-622 from the Part Lot Control provisions of subsection 50(5) of the *Planning Act*; and

- b) the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016 to exempt part of Block 81 in Plan 33M-622 from the Part Lot Control provisions of subsection 50(5) of the *Planning Act*. (2016-D12)

Motion Passed

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

- 12. Submission from the Chippewas of the Thames First Nation - The London Plan (O-7938)

That, on the recommendation of the Managing Director, Planning and City Planner, the communication from the Chippewas of the Thames First Nation regarding The London Plan appended to the staff report dated August 22, 2016, BE RECEIVED and BE FORWARDED to the Minister of Municipal Affairs for their consideration in the approval of The London Plan; it being noted that the Civic Administration will consider the comments for possible amendments to The London Plan. (2016-D09)

Motion Passed

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

- 13. Ontario Municipal Board Review

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the initial consultation being undertaken by the Ministry of Municipal Affairs and the Attorney General relating to the scope and effectiveness of the Ontario Municipal Board:

- a) the staff report dated August 22, 2016, with respect to the initial consultation being undertaken by the Ministry of Municipal Affairs and the Attorney General relating to the scope and effectiveness of the Ontario Municipal Board, BE RECEIVED for information; and,
- b) the above-noted staff report BE FORWARDED to the Ministry of Municipal Affairs and the Attorney General in response to their initial consultation regarding the review of the scope and effectiveness of the Ontario Municipal Board; it being noted that, at this time, the City's primary areas of concern can be summarized as:
 - i) the scope of matters that can be appealed to the Ontario Municipal Board is too broad;
 - ii) the Ontario Municipal Board does not place sufficient weight on Municipal Council's decisions (arrived at by Council as an elected body and with substantial public consultation);
 - iii) an emphasis on alternative dispute resolution that includes limited public consultation, following Municipal Council's decision, has the potential to undermine the province's rigorous requirements for public participation throughout the planning process prior to appeal and, thus, weaken meaningful public participation in establishing a final local planning decision; and,
 - iv) the Ontario Municipal Board should be more accountable for implementing existing legislation in its hearings and practices relating to such matters as not allowing for new information to be introduced at Ontario Municipal Board hearings that was not clearly in front of the public and the Council at the time of Municipal Council's decision;
- c) the Ministry of Municipal Affairs and the Attorney General BE ADVISED that the City of London will submit further comments regarding this review following the province's release of a discussion paper on the subject. (2016-C01)

Motion Passed

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

14. Building Division Monthly Report for May 2016

That the Building Division Monthly Report for May 2016 BE RECEIVED. (2016-A23)

Motion Passed

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

15. Properties located at 891 and 895 Riverside Drive - Appeal to the Ontario Municipal Board - Provisional Consent Decision (B.005/16)

That, on the recommendation of the Manager, Development Services and Planning Liaison, in response to the letter of appeal to the Ontario Municipal Board, dated June 10, 2016, submitted by Phillip Masschelen, relating to the Provisional Decision of Consent Application B.005/16, concerning the properties located at 891 and 895 Riverside Drive:

- a) the Ontario Municipal Board BE ADVISED that Municipal Council supports the Consent Decision appended to the staff report dated August 22, 2016 as Appendix B; and,
- b) the City Solicitor BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the position of the Municipal Council. (2016-D28)

Motion Passed

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

III. SCHEDULED ITEMS

16. Property located at 354 Boler Road (Z-8613)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Calvin Neely relating to the property located at 354 Boler Road, the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on August 30, 2016 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property FROM a Residential R1 (R1-9) Zone TO a Residential R1/Office Conversion Special Provision (R1-9/OC3(_)) Zone;

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;

it being noted that the Municipal Council approves this application for the following reasons:

- the recommended Zoning By-law amendment is consistent with the polices of the Provincial Policy Statement (2014);
- the recommended amendment is consistent with the Official Plan polices for Office Conversions;
- the recommended zone allows the continued use of the subject site for medical offices which serves the surrounding community; and,
- the existing built form and on-site parking is capable of supporting the requested office conversion without resulting in any negative impacts to abutting uses;

it being further noted that Municipal Council received comments from the agent for the applicant in support of the staff recommendation. (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)

17. Property located at 1740 Richmond Street (Z-8632)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of CP REIT Ontario Properties Limited, relating to the property located at 1740 Richmond Street, the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Associated Shopping Area Commercial (ASA1/ASA2/ASA8) Zone, TO an Associated Shopping Area Commercial (ASA1/ASA2/ASA3/ASA8) Zone;

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;

it being noted that the Municipal Council approves this application for the following reasons:

- the recommended Zoning By-law amendment is consistent with the polices of the Provincial Policy Statement (2014);
- the recommended amendment is consistent with Enclosed Regional Commercial Node Policies of the Official Plan;
- the recommended zone facilitates increased usability of the subject site by accommodating uses that are similar to, and compatible with, the existing uses in the surrounding area; and,
- the proposed built form and on-site parking is capable of supporting the requested medical/dental office without resulting in any negative impacts to abutting uses;

it being further noted that Municipal Council received comments from the agent for the applicant in support of the staff recommendation. (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, T. Park, S. Turner (4)

Motion to close the public participation meeting.

Motion Passed

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

18. Property located at 493 Springbank Drive (Z-8611)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the Incorporated Synod of the Diocese of Huron, relating to the property located at 493 Springbank Drive:

- a) the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Open Space (OS3) Zone TO an Open Space Special Provision (OS3(*)) Zone; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design matters through the site plan process:
 - i) orientation of the building towards the public street by providing a high proportion of windows along Springbank Drive and, including high quality materials, human-scale rhythm, and articulation and material changes to break up blank facades;
 - ii) minimizing the building setback from the street to help enclose the public realm and create a comfortable pedestrian streetscape;
 - iii) locating parking and drive aisles no closer to the street than the front of the building;
 - iv) opportunities to maintain, enhance and integrate the proposed development into the landscape of Woodland Cemetery by conserving: the existing mature vegetation; the curvilinear circulation routes/networks; undulating edges and the rolling topography; and,
 - v) use of elements of existing buildings and structures in Woodland Cemetery as sources of architectural inspiration for the proposed development;

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;

it being noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with Sections 1.1.1, 1.7.1 and 2.6.1 of the Provincial Policy Statement (2014), which promote a wide range and mix of land uses and the conservation of built heritage features and cultural heritage landscapes;
- the recommended amendment is consistent with, and will serve to implement, the Open Space policies of the Official Plan which identify community facilities as a permitted use; and,
- the recommended amendment is consistent with, and will serve to implement, the Cultural Heritage policies of the Official Plan which encourage new development to be sensitive to, and in harmony with, the City's heritage resources;

it being further noted that Municipal Council received comments from the agent for the applicant in support of the staff recommendation. (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)

19. Property located at 66 Byron Avenue East (Z-8616)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Doug Lansink, relating to the property located at 66 Byron Avenue East, the following actions be taken:

- a) the request to amend Zoning By-law Z.-1 to change the zoning of the subject property FROM a Residential R2 (R2-2) Zone to a Residential R2 Special Provision (R2-2(_)) Zone TO recognize 4 existing dwelling units and permit an additional single detached dwelling BE REFUSED for the following reasons:
 - i) the requested amendment is not consistent with Section 1.1.3.3 of the Provincial Policy Statement which promotes opportunities for residential intensification based on appropriate development standards;
 - ii) the requested amendment is not consistent with Section 3.1.1 of the Official Plan which seeks to minimize the potential for land use compatibility problems which may result from an inappropriate mix of higher intensity residential uses with other residential uses; and,
 - iii) the requested amendment is not consistent with Sections 3.2.3.4 and 3.7.2 of the Official Plan which seek to ensure that a proposal for residential intensification be sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood;
- b) the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R2 (R2-2) Zone TO a Residential R2 Special Provision (R2-2(*)) Zone AND a Residential R2 Special Provision (R2-2(**)) Zone;
- c) the Site Plan Approval Authority BE REQUESTED to consider implementing the following design matters through the site plan process:
 - i) provide a main building setback that is aligned to existing buildings on the south side Euclid Avenue;
 - ii) set the garage back behind the main building mass;
 - iii) align the main floor and second storey levels with those of adjacent buildings;
 - iv) provide a porch and walkway from the front door out to the sidewalk;
 - v) provide windows and façade articulation that is in keeping with the scale of the surrounding houses;
 - vi) utilize high quality materials that are common in the Wortley Village – Old South Heritage Conservation District, including brick and wood or siding;

- vii) wrap materials around all visible façade portions, and make material transitions at appropriate locations;
- viii) include a roof pitch that is consistent with predominant roof forms in the nearby properties; and,
- ix) ensure that the proposed building design complies with Section 4.4 and Section 8.3.3 of the Wortley Village – Old South Heritage Conservation District Plan and Guidelines;

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;

it being noted that the Municipal Council refuses the request for four existing dwelling units within a converted dwelling and to permit a new single detached dwelling and approves the amendment to permit a maximum of three dwelling units in a converted dwelling and permit a new single detached dwelling for this application for the following reasons:

- the rationale for refusal of the requested Zoning By-law amendment to recognize four existing dwelling units within a converted dwelling and permit a new single detached dwelling is listed in part a) of the recommendation;
- the rationale to support a Zoning By-law amendment to permit a maximum of 3 dwelling units in a converted dwelling and permit a new single detached dwelling is as follows:
 - the recommended Zoning By-law amendment is consistent with, and will serve to implement, the policies of the Provincial Policy Statement, 2014;
 - the recommended Zoning By-law amendment is consistent with, and will serve to implement, the policies of the City of London Official Plan; and,
 - the recommended Zoning By-law amendment is consistent with, and will serve to implement, the policies of the Wortley Road Heritage Conservation District Plan and Guidelines;

it being further noted that Municipal Council received comments from the agent for the applicant in support of the staff recommendation. (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)

Motion to approve the application.

Motion Failed

YEAS: T. Park, S. Turner (2)

NAYS: P. Squire, J. Helmer, P. Hubert (3)

20. Wonderland Road South (Z-8564)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of the City of London for amendments to the City's Zoning By-law for Wonderland Road South, the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to amend Section 4.21 (Road Allowance Requirements – Specific Roads) of Zoning By-law Z.-1, (in conformity with the Official Plan), to amend specific segments of Wonderland Road South in Section 4.21 "Road Allowance Requirements – Specific Roads" of Z.-1 Zoning By-law;

it being pointed out that no individuals spoke at the public participation meeting associated with this matter;

it being noted that the Municipal Council approves this application for the following reasons:

- the recommended zoning by-law amendment is consistent with the Provincial Policy Statement, 2014, including:

1.1.1 Healthy, liveable and safe communities are sustained by:

- g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs;

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs;

- the amendments to Section 4.21 of Zoning By-law Z.-1. will be consistent with Schedule "C" Transportation Corridors of the Official Plan, and will ensure that the requirements for road allowance and street classifications are current and up to date;
- the recommended zoning by-law amendment conforms to the policies of the Official Plan and serves to address transportation needs of the City of London;
- the recommended zoning by-law amendment establishes the right-of-way requirements to assist in implementing the vision of the Wonderland Road South corridor as a significant gateway to the City of London;
- the recommended zoning by-law amendment will implement the recommendations of the Wonderland Road South Environmental Study Report to accommodate future transportation needs of the City of London; and,
- the proposed Zoning By-law Amendments conform to the Official Plan;

it being further noted that no public input was received by Municipal Council with respect to this matter. (2016-D09)

Voting Record:

Motion Passed

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

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

21. Property located at 4425 Wellington Road South (Z-8573)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Dineen Construction Corporation, relating to the property located at 4425 Wellington Road South:

- a) the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Community Shopping Area (CSA4) Zone TO an Associated Shopping Area Special Provision (ASA2(_)) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan approval process:
 - i) orient the principal entrance of the primary building to the sidewalk along Wellington Road South;
 - ii) encourage large caliper trees to be planted within the 10m landscaped area;
 - iii) encourage the use of planting technologies which provide long-term and sustainable growth of the trees in the landscaped area;
 - iv) utilize landscaping or decorative paving to reduce the visual expanse of large parking areas; and
 - v) design the interior of the site to provide pedestrian connections from the public right-of-way through the site/parking area to prioritize pedestrian movement;

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;

it being noted that the Municipal Council approves this application for the following reasons:

- the proposed amendment is consistent with the Provincial Policy Statement 2014;
- the proposed amendment is consistent with the policies of the Southwest Area Secondary Plan Policies, New Format Regional Commercial Node designation and broader Official Plan policies;
- the proposed commercial uses are appropriate for the node and revitalize an underutilized commercial site; and,
- the development form will achieve the Southwest Area Secondary Plan design objectives through the use of special provisions;

it being further noted that Municipal Council received comments from the agent for the applicant in support of the staff recommendation. (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, T. Park, S. Turner (4)

Motion to close the public participation meeting.

Motion Passed

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

22. City Wide Official Plan and Zoning By-law Amendments - Secondary Dwelling Units (OZ-8053)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the City of London, relating to an Official Plan Amendment to introduce new city-wide policies related to secondary dwelling units and for a Zoning By-law Amendment to introduce regulations related to secondary dwelling units, the following actions be taken:

- a) the proposed by-law appended to the staff report dated August 22, 2016 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016 to, amend the City of London Official Plan to update secondary dwelling unit polices, to address such matters as location, scale, and accessory structures, in accordance with changes to the *Planning Act*;
- b) the proposed by-law appended to the staff report dated August 22, 2016 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016 to amend the City of London Zoning By-law Z.-1, (in conformity with the Official Plan, as amended in part a) above), to provide secondary dwelling unit regulations to address such matters as location, scale, and accessory structures, in accordance with changes to the *Planning Act*; it being noted that staff will undertake a review and bring forward changes to the Residential Rental Unit Licensing By-law to address the requirements associated with secondary dwelling units;
- c) the amended policies for Secondary Dwelling Units in The London Plan, appended to the staff report dated August 22, 2016 as Appendix 'C,' BE ENDORSED by the Municipal Council and BE FORWARDED to the Minister of Municipal Affairs with the recommendation that these policies be incorporated through a modification to The London Plan; it being noted that changes to the Plan include policy 942 being deleted and being replaced with the revised policies appended to the staff report dated August 22, 2016; and,
- d) the Civic Administration BE DIRECTED to report back in one year after the proposed amendments have been made to the Residential Licensing By-law;

it being noted that the Planning and Environment Committee reviewed and received a communication dated August 18, 2016, from M.W. Melchers, Associate Lawyer, Cohen Highley Lawyers, with respect to this matter;

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;

it being further noted that the Municipal Council approves this application after listening to extensive public participation and having extensive discussion whether or not the Near Campus Neighbourhoods should be included in the proposed amendments and further outlining the definitions. (2016-D08)

Voting Record:

Motion Passed

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

NAYS: P. Squire (1)

Motion to move that the proposed by-laws contained in parts a) and b) of the staff report BE REVISED to remove reference to the Great Near Campus Neighbourhood.

Motion Failed

YEAS: P. Squire, S. Turner (2)

NAYS: J. Helmer, P. Hubert, T. Park (3)

Motion to move part b) of the staff report which reads as follows:

- b) the proposed by-law appended to the staff report dated August 22, 2016, as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016 to amend the City of London Zoning By-law Z.-1, (in conformity with the Official Plan, as amended in part a) above), to provide secondary dwelling unit regulations to address such matters as location, scale, and accessory structures, in accordance with changes to the *Planning Act*;

Motion Passed

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

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)

23. Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan (O-8478)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan:

- a) the Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan, appended to the staff report dated August 22, 2016 as Appendix "A" BE ADOPTED;
- b) the proposed by-law appended to the staff report dated August 22, 2016, BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016 to amend the Official Plan to:
 - i) amend Chapter 20 – Secondary Plans BY ADDING “Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan” to the list of Secondary Plans adopted by Council in Section 20.2 i) of the Official Plan for the City of London;
 - ii) amend Chapter 20 – Secondary Plans BY ADDING the “Beaufort/Irwin/Gunn/ Saunby (BIGS) Neighbourhood Secondary Plan” adopted in clause a) above, as Section 20.9 – Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan, to the Official Plan for the City of London;
 - iii. TO ADD the naming and delineation of the “Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan” to Schedule “D” – Planning Areas;
- c) the Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan, appended to the staff report dated August 22, 2016, BE CONSIDERED as part of a future amendment to The London Plan after the approval of

The London Plan by the Ministry of Municipal Affairs: to add the “Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan” to the list of adopted Secondary Plans in policy 1565; and, to add the naming and delineation of the “Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan” – to Map 7 – Special Policy Areas;

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

- a communication dated August 17, 2016 from D. & T. Gonyou, 350 Wharncliffe Road North; and,
- a communication dated August 18, 2016, from Mrs. Majnaric, 62 Essex Street and K. Tonkovic, 58 Essex Street;

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;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended Official Plan amendments to include the text and schedules of the Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan in the Official Plan are consistent with the Provincial Policy Statement with respect to managing and directing land use to achieve efficient and resilient development and land use patterns; facilitating intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety; and, providing an appropriate range and mix of housing types and densities;
- the recommended Official Plan amendments are consistent with the policies of the Official Plan that provide for the preparation of a Secondary Plan in instances where additional policy direction is desirable for the appropriate development of a defined area of the City. The recommended Official Plan amendments represent good planning as they have been developed and refined with significant community and property owner consultation. The secondary plan provides for a range of residential densities with a limited range of local commercial uses to serve the neighbourhood;
- the recommended Official Plan amendment is consistent with the Strategic Plan for the City of London 2015-2019, primarily the goal of promoting urban regeneration, by establishing policies for redevelopment within the built up area of the city;
- this is a good Plan and it has been developed over several years;
- key elements of this neighbourhood are being preserved;
- it is at the transitionary points where there is friction;
- this is how the neighbourhood has formed because we did not have this Plan in place previously; and,
- this is why there are sections of the neighbourhood that are so intensely developed. (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 (4)

Motion to close the public participation meeting.

Motion Passed

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

24. Tree Protection By-law

That on the recommendation of the Managing Director, Planning and City Planner the following actions be taken with respect to the Tree Protection By-law:

- a) the revised, attached, by-law BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to repeal By-law C.P.1466-249, being "A by-law to prohibit and regulate the destruction or injuring of trees in the City of London" and replace it with a new Tree Protection By-law; it being noted that the definition "Distinctive tree" BE AMENDED to read 50 cm instead of 75 cm; it being further noted that Section 13.3 BE AMENDED to remove the reference to 3 years;
- b) the Civic Administration BE DIRECTED to remove the relevant fees relating to the current Tree Conservation By-law in the annual update of the Various Fees and Charges By-law and to add the fees identified in "Schedule A – Permit Fees" and "Schedule B – Schedule of Cash Contribution in Lieu of Off-site Tree Planting" in the new Tree Protection By-law as amended in the above-noted clause;
- c) the proposed by-law appended to the staff report dated August 22, 2016, as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016, to designate Inspectors and Officers for the purpose of enforcing the Tree Protection By-law;
- d) the Civic Administration BE DIRECTED to direct fees, fines and tree planting funds collected under the Tree Protection By-law into appropriate accounts established specifically for tree planting and urban forest management; and,
- e) the Civic Administration BE DIRECTED to monitor the implementation of the Tree Protection By-law and provide a status report and any recommended amendments to the By-law within a period of one year;

it being noted that the Planning and Environment Committee reviewed and received a communication from J. Kennedy, President, London Development Institute, with respect to this matter;

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-E04)

Voting Record:

Motion Passed

YEAS: J. Helmer, T. Park, S. Turner (3)

NAYS: P. Squire (1)

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

Motion to go past 11:00 PM

Motion Passed

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

IV. ITEMS FOR DIRECTION

25. Hamilton Road Area Community Improvement Plan Proposed Study Area and Terms of Reference

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Hamilton Road Area Community Improvement Plan Proposed Study Area and Terms of Reference:

- a) the Hamilton Road Area Community Improvement Plan Terms of Reference appended to the staff report dated August 22, 2016, as Appendix "A" BE APPROVED; and,
- b) the proposed Hamilton Road Area Community Improvement Plan Study Area appended to the staff report dated August 22, 2016, as Appendix "B" BE APPROVED at the Municipal Council meeting to be held on August 30, 2016; it being noted that the proposed Study Area is generally bounded by the CN railway tracks to the north, Highbury Avenue to the east, the Thames River to the south, and Adelaide Street to the west, but also includes all properties with frontage on Hamilton Road west of Adelaide Street. (2016-D19)

Motion Passed

YEAS: P. Squire, J. Helmer, S. Turner (3)

NAYS: T. Park (1)

26. Lambeth Area Community Improvement Plan Proposed Study Area and Terms of Reference

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Lambeth Area Community Improvement Plan Proposed Study Area and Terms of Reference:

- a) the Lambeth Area Community Improvement Plan Terms of Reference appended to the staff report dated August 22, 2016, as Appendix "A" BE APPROVED; and,
- b) the proposed Lambeth Area Community Improvement Plan Study Area appended to the staff report dated August 22, 2016, as Appendix "B" BE APPROVED at the Municipal Council meeting to be held on August 30, 2016. The proposed Study Area is generally described as following Dingman Creek south from Hamlyn Street and north to Kilbourne Road, continues east along Kilbourne Road then from the intersection of Kilbourne Road and Colonel Talbot Road directly to the intersection of Exeter Road and Wharnccliffe Road South and then continues along Exeter Road to Wonderland Road South then south along Wonderland Road South to Hamlyn Street then westerly on Hamlyn Street to Dingman Creek. (2016-D19)

Motion Passed

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

27. Public Engagement Process for the 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 review of the City's Community Improvement Plans (CIPs) and associated incentive programs and potential new CIPs and associated incentives:

- a) the staff report dated August 22, 2016, with respect to the review of the City's Community Improvement Plans and associated programs and incentives, including a summary of the public consultation undertaken to date, and a preliminary review of potential new Community Improvement Plans and programs BE RECEIVED for information;

- b) based on the review of the potential new Community Improvement Plans that have been identified for future implementation, NO FURTHER ACTION BE TAKEN with respect to the proposed new Community Improvement Plans to provide for development charges grants for Sports and Recreation Programs or Private/Not-for-Profit Education Facilities, as the proposals do not meet the intent of community improvement as defined in the *Planning Act*; and,
- c) based on the review of the City's current Community Improvement Plans and the associated programs and incentives, the following programs BE RETAINED; it being noted that staff will further refine the program guidelines for these programs to incorporate success measures and identify possible funding revisions for Municipal Council consideration:
- SoHo, Old East Village and Downtown Upgrade to Building Code Program;
 - SoHo, Old East Village and Downtown Façade Improvement Loan Programs;
 - Old East Village and Downtown Tax Increment Grant Program
 - Brownfield Tax Increment and Property Tax Assistance Grant Program; and,
 - Brownfield Assessment Study Grant Program;

it being noted that the Civic Administration will continue to review possible program changes to the current development charges grant programs available for industrial and residential development, including further public consultation on any possible program changes and report back to Municipal Council in November regarding any changes to those programs. (2016-D19)

Motion Passed

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

28. Proposed Walkway on Clayton Walk

That the following actions be taken with respect to the proposed walkway on Clayton Walk:

- a) delegation status BE GRANTED to M. Fantegrossi, 7055 Clayton Walk at the Planning and Environment Committee meeting to be held on September 6, 2016; and,
- b) the developer BE ASKED to not install the walkway until after the Municipal Council meeting to be held on September 13, 2016;

it being noted that the Planning and Environment Committee reviewed and received a communication and a petition signed by approximately 40 individuals from Mr. Fantegrossi, 7055 Clayton Walk, with respect to this matter. (2016-T04)

Motion Passed

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

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VI. ADJOURNMENT

The meeting adjourned at 11:37 PM.