

16TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on September 19, 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 and S. Turner and H. Lysynski (Secretary).

ABSENT: Councillor T. Park.

ALSO PRESENT: Councillors A. Hopkins, J. Morgan, H. Usher and M. van Holst; G. Barrett, M. Corby, M. Elmadhoon, S. Galloway, K. Gonyou, T. Grawey, N. Hall, P. Kokkoros, G. Kotsifas, T. Macbeth, A. MacLean, D. Mounteer, L. Pompilli, C. Saunders, C. Smith, S. Spring, M. Tomazincic 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. 9th Report of the Advisory Committee on the Environment

That the following actions be taken with respect to the 9th Report of the Advisory Committee on the Environment from its meeting held on September 7, 2016:

- a) Dr. Brennan Vogel BE INVITED to attend the next Advisory Committee on the Environment Committee (ACE) meeting to discuss how municipalities in Nova Scotia have implemented sustainability plans; it being noted that the ACE received the Sustainability Working Group Report from its meeting held on July 27, 2016;
- b) the following comments BE FORWARDED to the Civic Administration with respect to provision of child minding services for the public at public participation meetings related to a Standing Committee meeting:
- i) concern that young children may be scared being left with someone they do not know;
 - ii) consideration be given to reimbursing parents for hiring care as an alternative provision; and,
 - iii) noting older children could stay in the council chamber gallery, with something to occupy them;

it being noted that the ACE reviewed and received the Municipal Council resolution adopted at its meeting held on March 22, 2016, with respect to this matter;

- c) the following actions BE TAKEN with respect to the 2016 Advisory Committee on the Environment (ACE) Work Plan:
- i) the revised 2016 ACE Work Plan appended to the 9th Report of the ACE be included on the next ACE Agenda for further consideration; and,
 - ii) the matter of a potential request for an ACE representative to be appointed to the Food Council be placed on the next Agenda;
- d) a representative from the Upper Thames River Conservation Authority BE REQUESTED to attend the next meeting of the Advisory Committee on the Environment to provide updates on the following matters:
- i) the potential of hydro generation in the Thames River;
 - ii) the contribution of pollution in the Thames River to the algae

- iii) bloom in Lake Erie; and,
the engineering requirements of West London Dyke as compared to alternative designs;
- e) the Civic Administration BE INVITED to the next meeting of the Advisory Committee on the Environment to provide an update on sewer/stormwater overflows into the Thames River; and,
- f) clauses 1 to 7, 10, 11, 12, 14 and 15, BE RECEIVED.

Motion Passed

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

- 3. Lands south of Exeter Road, north of Dingman Drive, east of White Oak Road and west of the Marr Drain - Official Plan Amendment No. 606 and 607 (O-8362)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the appeal to the Ontario Municipal Board (OMB) of Municipal Council's approval of Official Plan Amendments 606 and 607 (By-law No. C.P.-1284-(st)-331) for the lands located south of Exeter Road, north of Dingman Drive, east of White Oak Road and west of the Marr Drain:

- a) the staff report dated September 19, 2016, entitled "City of London - Lands of Exeter Road, north of Dingman Drive, east of White Oak Road and west of the Marr Drain - Official Plan Amendment No. 606 and 607", BE RECEIVED for information; and,
- b) Map 7- Specific Policy Areas as amended to implement the decision of the Ontario Municipal Board BE FORWARDED to the Minister of Municipal Affairs to be incorporated through a modification to The London Plan. (2016-D09)

Motion Passed

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

III. SCHEDULED ITEMS

- 4. 9th Report of the London Advisory Committee on Heritage

That the following actions be taken with respect to the 9th Report of the London Advisory Committee on Heritage from its meeting held on September 14, 2016:

- a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, relating to the request for the demolition of the heritage listed property located at 191 Commissioners Road East, the following actions be taken:
 - i) 191 Commissioners Road East BE REMOVED from the Inventory of Heritage Resources (Register);
 - ii) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of this property;
 - iii) the property owner BE REQUESTED to salvage those elements identified by the Cultural Heritage Evaluation Report; and,
 - iv) the Civic Administration BE REQUESTED to submit a copy of the Cultural Heritage Evaluation Report to the London Room;

it being noted that the Planning and Environment Committee heard verbal presentations from M. Poddar, Planner, York Developments, T. Dingman, Thor Dingman, B. Architectural SC. Inc., The Ashfield Group Inc. and A. Soufan, York Developments, with respect to this matter;

- b) the following actions be taken with respect to the Municipal Council resolution adopted at its meeting held on July 26, 2016, with respect to the property located at 269 Thames Street:

- i) the Civic Administration BE REQUESTED to review the activity and development at the above-noted address; and,
 - ii) the property owner BE REQUESTED to provide any relevant archeological information related to the site;
- c) the following comments of the London Advisory Committee on Heritage, with respect to the application by Drewlo Holdings Inc., relating to the properties located at 661 and 667 Talbot Street, BE FORWARDED to the Civic Administration for consideration:
- i) the LACH strongly disputes the conclusions of the Heritage Impact Assessment for the properties located at 661 to 667 Talbot Street; and,
 - ii) the LACH encourages the reassessment of the following with respect to the submitted proposal:
 - A) the massing of the building;
 - B) the setbacks;
 - C) the form of the building;
 - D) the compatibility of building materials used with surrounding neighbourhood;
 - E) the design of exterior façades;
 - F) shadowing impacts onto adjacent heritage properties; and,
 - G) lack of an appropriate commemoration of the former Locust Mount;
- d) the following actions be taken with respect to the Ontario Culture Strategy:
- i) the Manager of Culture BE REQUESTED to provide an update on the Ontario Culture Strategy at the next meeting of the London Advisory Committee on Heritage; and,
 - ii) it BE NOTED that the Ontario Culture Strategy, Telling our stories, growing our economy and the communication from R. Armistead, Manager of Culture appended to the 9th Report of the London Advisory Committee on Heritage, were received;
- e) the following actions be taken with respect to the Stewardship Sub-Committee:
- i) it BE NOTED that the London Advisory Committee on Heritage does not recommend the designation of the property located at 191 Commissioners Road East not be designated under the *Ontario Heritage Act*, and it strongly supports the architectural salvage for the building as suggested by the Cultural Heritage Evaluation Report;
 - ii) the properties located at 479, 481, 483, 485, 487 and 489 Talbot Street (Camden Terrace) BE DESIGNATED with the Statement of Cultural Heritage Value or Interest recommended by the London Advisory Committee on Heritage in 2015; and,
 - iii) it BE NOTED that the Stewardship Sub-Committee minutes from its meetings held on July 27 and August 31, 2016, were received;
- f) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under section 42 of the *Ontario Heritage Act* to replace the windows of the building located at 183 Bruce Street, within the Wortley Village-Old South Heritage Conservation District, BE APPROVED as described in the staff report dated September 14, 2016 SUBJECT TO the following terms and conditions:
- i) exterior grills be added to all street-facing replacement windows to recreate the historic proportions of the removed windows; and,
 - ii) the Heritage Alteration Permit being displayed in a location visible from the street until the work is completed;

- g) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under section 42 of the *Ontario Heritage Act* to partially rebuild the lower front porch of the building located at 504 Colborne Street, within the West Woodfield Heritage Conservation District, BE APPROVED as described in the staff report dated September 14, 2016 SUBJECT TO the Heritage Alteration Permit being displayed in a location visible from the street until the work is completed;
- h) it BE NOTED that the London Advisory Committee on Heritage (LACH) held a general discussion with respect to this matter and the LACH confirmed that the following actions be taken with respect to Camden Terrace:
 - i) notice under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of the Municipal Council's intention to designate the properties located at 479, 481, 483, 485, 487 and 489 Talbot Street (Camden Terrace) to be of cultural heritage value and interest BE GIVEN as recommended by the London Advisory Committee on Heritage in 2015; and,
 - ii) the Municipal Council BE ADVISED that the London Advisory Committee on Heritage does not consent to the demolition of the above-noted properties; and,
- i) clauses 1, 2, 4 to 8, 11 to 14, 16 to 18, 20, 21, 25 to 27, BE RECEIVED.

Motion Passed

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

5. Property located at 2825 Tokala Trail (Z-8638)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of All Seniors Care Living Centre Ltd., relating to the property located at 2825 Tokala Trail:

- a) the proposed by-law appended to the staff report dated September 19, 2016, BE INTRODUCED at the Municipal Council meeting to be held on September 27, 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 Residential R9 Special Provision / Convenience Commercial Special Provision (h-120*R9-7(17)*H30/CC6(4)) TO a Residential R9 / Convenience Commercial Special Provision (R9-7*H30/CC6(4)) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - i) ensure that the building is located along both the Tokala Trail and Dalmagarry Road frontages in order to establish a built edge. Minimize the setbacks to both Tokala Trail and Dalmagarry Road in order to help enclose the street and create a comfortable pedestrian environment;
 - ii) ensure that the building is oriented to the street by including primary building entrances, individual unit patios, active indoor spaces and amenity areas with transparent windows and a dining patio, along the street frontages in order to create an active street edge;
 - iii) ensure that the building entrances located along the street frontages are pronounced architecturally and include elements such as transparent windows, canopies and signage;
 - iv) include a forecourt at the entrance located at the intersection of Tokala Trail and Dalmagarry Road that includes a combination of hard surface and landscaping from the building to City sidewalks;
 - v) locate parking spaces internal to the site;
 - vi) minimize the amount of parking spaces within the internal courtyard and maximize the amount of green space in order to add amenity space and to visual screening of the parking area for

- the residents;
- vii) consider providing further amenity space to the area noted as 'Future Development'. Outdoor paths, landscaping and gardens have been proven to enhance the quality of life for seniors. Outdoor amenity space also has the potential to provide more action on the street and around the building to strengthen the feeling of community and inclusion in the neighbourhood; and,
 - viii) the amount of parking and the parking in the courtyard should be prioritized for outdoor amenity space and tree planting to screen the parking from the residential units especially at grade level;

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 the policies of the Provincial Policy Statement (2014);
- the recommended zone is consistent with the City of London Multi-Family, High Density Residential policies of the Official Plan;
- the removal of the existing special provisions will facilitate a desirable form of development on the subject site;
- the proposal will have no adverse impacts on the surrounding land uses; and,
- the proposal is in keeping with the London Plan as the proposed "Neighbourhood" place type with frontage onto two neighbourhood connectors would permit the proposed Continuum-of-Care Facility;

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, S. Turner (4)

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

6. Properties located at 2870 and 2900 Tokala Trail (39CD-16509/Z-8644)

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the application of Foxwood Development (London) Inc., relating to the properties located at 2870 and 2900 Tokala Trail:

- a) the proposed by-law appended to the staff report dated September 19, 2016, BE INTRODUCED at the Municipal Council meeting to be held on September 27, 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 R6 (h*h*71*h-100*R6-1) Zone and a Holding Residential R6/ Neighbourhood Facility (h*h-71*h-100*h-108*R6-1/NF1) Zone, which permits cluster single detached dwellings and neighbourhood facility uses such as public schools, places of worship and community centres TO a Holding Residential R5 (h*h-71*h-100*R5-

7) Zone and a Holding Residential R5/ Neighbourhood Facility (h*71*h-100*h-108*R5-7/NF1) Zone, to permit 48 townhouse dwelling units at a maximum density of 60 units per hectare and a maximum height of 12 metres SUBJECT TO holding provisions requiring a development agreement being entered into to the satisfaction of the City, street oriented development, adequate provision of municipal services, and that the block is consolidated with the lands to the east if the block is required as a future school site;

- b) 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 application for a Vacant Land Condominium;
- c) 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 concept Site Plan; and,
- d) the Approval Authority BE REQUESTED to utilize, if possible, one agreement, instead of a separate development agreement and a separate condominium agreement, to address the development of this site;

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 requested zone to permit cluster townhouse dwellings is appropriate and consistent with the Multi-family Medium Density residential designation which applied to these lands;
- the requested amended zone retains the Neighbourhood Facility (NR1) Zone on Block 99, 33M-685 and would permit the block to be developed for a school, if required; and,
- the submitted draft plan of vacant land condominium is in conformity with the City's Condominium Submission Review and Approval Guidelines and the regulations of the recommended Residential R-5 (R5-7) Zone;

it being further noted that the Municipal Council received comments from the agent for the applicant in support of the staff recommendation. (2016-D09/D07)

Voting Record:

Motion Passed

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

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

7. Property located at 200 Villagewalk Boulevard (SP14-039271)

That on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application by 1904812 ONTARIO LIMITED, relating to the property located at 200 Villagewalk Boulevard:

- 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 application for Site Plan approval to permit the construction of a four (4) storey office building; and,
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the Site Plan application;

it being pointed out that no individuals spoke at the public participation meeting associated with this matter. (2016-D11)

Voting Record:

Motion Passed

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

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

- 8. Amendment to Zoning By-law Z.-1, Section 1.3 - Deemed Conformity of Uses and Compliance with Regulations (Z-8595)

That, on the recommendation of the Managing Director, Planning and City Planner, the proposed by-law appended to the staff report dated September 19, 2016, BE INTRODUCED at the Municipal Council meeting on September 27, 2016, so that:

- a) the existing "Section 1.3 – Deemed Conformity of Uses and Compliance with Regulations" of Zoning By-law No. Z.-1 BE DELETED and BE REPLACED with a new "Section 1.3 – Non-Conforming Uses"; and,
- b) Sections 4.16(1) and 45.3(2) of Zoning By-law Z.-1 BE AMENDED in conformity with clause a) above to delete references to "Section 1.3 – Deemed Conformity of Uses and Compliance with Regulations" and replace with references to "Section 1.3 – Non-Conforming Uses";

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 to ensure that Section 1.3 of the Zoning By-law is consistent with the *Planning Act*. (2016-D09)

Voting Record:

Motion Passed

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

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

9. Property located at 191 Commissioners Road East

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the request for the demolition of a heritage listed property located at 191 Commissioners Road East:

- a) the property located at 191 Commissioners Road East BE REMOVED from the Inventory of Heritage Resources (Register); and,
- b) the Chief Building Official BE ADVISED that the Municipal Council consents to the demolition of this property; and,
- c) the property owner BE REQUESTED to salvage those elements identified by the Cultural Heritage Evaluation Report;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2016-P10D/R01)

Voting Record:

Motion Passed

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

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

10. Properties located at 1234-1246 Richmond Street (OZ-8552)

That the application by Textbook (Ross Park) Inc., relating to the properties located at 1234 to 1246 Richmond Street BE REFERRED back to the Civic Administration for further discussion with the applicant and the Upper Thames River Conservation Authority;

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

- a communication dated September 1, 2016, from C. Butler, by e-mail; and,
- a communication dated September 12, 2016, from G. Kulczycki, Vice-President, Resources and Operations, Western University;

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 noted that the Municipal Council approves the referral of this application to request further dialogue between the applicant and the Upper Thames River Conservation Authority.

Voting Record:

Motion Passed

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

NAYS: S. Turner (1)

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

Motion to go in camera.

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to an application by Textbook (Ross Park) Inc., relating to the properties located at 1234 to 1246 Richmond Street

Motion Passed

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

11. Conservation Authorities

That the attached presentation from I. Wilcox, Upper Thames River Conservation Authority, E. VanHooren, Kettle Creek Conservation Authority and D. Pearson, Lower Thames Valley Conservation Authority, with respect to the roles and responsibilities of the Conservation Authorities, BE RECEIVED.

Motion Passed

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

IV. ITEMS FOR DIRECTION

12. Funding Request for the Hyde Park Business Association/Business Improvement Area (BIA) Designation

That delegation status BE GRANTED to D. Szpakowski, Hyde Park Business Association, at the next meeting of the Planning and Environment Committee with respect to the request for funding for the establishment of a Hyde Park Business Improvement Area. (2016-F11A)

Motion Passed

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

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VI. CONFIDENTIAL

The Planning and Environment Committee convened in camera from 6:51 PM to 7:04 PM after having passed a motion to do so, with respect to the following matter:

- C-1. A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to an application by Textbook (Ross Park) Inc., relating to the properties located at 1234 to 1246 Richmond Street.

VII. ADJOURNMENT

The meeting adjourned at 7:47 PM.