

18TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on October 17, 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; G. Barrett, P. Christiaans, M. Corby, M. Elmadhoon, J.M. Fleming, S. Galloway, K. Gonyou, P. Kokkoros, G. Kotsifas, E. Ling, A. MacLean, B. Page, L. Pompili, J. Ramsay, A. Salton, C. Saunders, S. Spring, B. Turcotte,

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that the following pecuniary interests were disclosed:

- a) Councillor P. Hubert disclosed a pecuniary interest in clause 7 of this Report as his son rents an adjacent property; and,
- b) Councillor T. Park disclosed a pecuniary interest in clause 8 of this Report as her brothers are working on this site.

II. CONSENT ITEMS

2. 10th Report of the Advisory Committee on the Environment

That the following actions be taken with respect to the 10th Report of the Advisory Committee on the Environment from its meeting held on October 5, 2016:

- a) the Civic Administration BE REQUESTED to provide the Advisory Committee on the Environment (ACE) with responses to the following, with respect to municipal sustainability plans:
 - i) an outline on the expenditure of gas tax funding; and,
 - ii) the monitoring that is being undertaken for the utilization of gas tax funding;

it being noted that the ACE received the presentation appended to the 10th Report of the ACE from Dr. B. Vogel, Response Coordinator, Post-Doctoral Research Fellow, Marine Environmental Observation Prediction and Response Network, and Dr. G. McBean, FRSC and Professor, Cross Appointment with Political Science, with respect to this matter;

- b) the Civic Administration BE REQUESTED to:
 - i) actively involve the Advisory Committee on the Environment (ACE) in the process for the preparation of the draft Terms of Reference for the development of an Urban Agriculture Study; and,
 - ii) continue to provide staff reports relating to this matter to the ACE;

it being noted that the ACE reviewed and received the following with respect to this matter:

- a Municipal Council resolution from its session held on September 13, 2016;
- the Urban Agriculture Strategy - Draft Terms of Reference; and,
- a communication dated September 1, 2016, from M. Temme, 66 Palmer Street;

- c) the Middlesex-London Food Policy Council BE REQUESTED to amend their Terms of Reference to accommodate a member of the Advisory Committee on the Environment to be appointed to the Middlesex-London Food Policy Council, as a Voting Representative;
- d) the following actions be taken with respect to the 2016 Advisory Committee on the Environment (ACE) Budget:
 - i) a \$75.00 honorarium for the presentation at the September 7, 2016 ACE meeting BE PROVIDED to J. Brady, Consultant, with respect to the Trans Pacific Partnership;
 - ii) up to \$500.00 BE PROVIDED for expenditures relating to the Urban Agriculture Conference; and,
 - iii) a potential request for funding for future Conferences BE POSTPONED until after the Urban Agriculture Conference has been concluded; it being noted that a review of the Urban Agriculture Conference will be completed at the conclusion of the Conference; and,
- e) clauses 1, 3 to 9, 12, 13 and 15, BE RECEIVED.

Motion Passed

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

3. 9th Report of the Trees and Forests Advisory Committee

That the 9th Report of the Trees and Forests Advisory Committee from its meeting held on September 28, 2016, BE RECEIVED.

Motion Passed

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

4. Property located at 1959 Wharncliffe Road South (H-8660)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of 1640209 Ontario Ltd., relating to the property located at 1959 Wharncliffe Road South:

- a) the proposed by-law appended to the staff report dated October 17, 2016, BE INTRODUCED at the Municipal Council meeting to be held on October 25, 2016, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning on a portion of the subject lands FROM a Holding Residential R1 (h.h-100.R1-4) Zone TO Residential R1 (R1-4) Zone, to remove the “h” and “h-100” holding provisions; and,
- b) the application to change the zoning on the remainder of the lands within the subdivision BE DEFERRED until such time as the Environmental Assessment for the Bostwick Road realignment is complete and the multi-family medium density residential block developments are designed and approved consistent with the Southwest Area Plan. (2016-D09)

Motion Passed

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

III. SCHEDULED ITEMS

5. 10th Report of the London Advisory Committee on Heritage

That the following actions be taken with respect to the 10th Report of the London Advisory Committee on Heritage from its meeting held on October 12, 2016:

- a) with respect to the properties located at 467-469 Dufferin Avenue:
 - i) the Civic Administration BE REQUESTED to enforce the Property Standards By-law at the property located at 467- 469 Dufferin Avenue; and,
 - ii) the Stewardship Sub-Committee BE ASKED to research the history of the above-noted properties;

it being noted that the London Advisory Committee on Heritage heard verbal delegations from G. Warren, Acting Chair, Committee to Save Houses on Dufferin Avenue and K. Rapson, Chair, Woodfield Community Association, with respect to this matter;

- b) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the application submitted by the Roman Catholic Diocese of London for the properties located at 1040 and 1070 Waterloo Street, 370 Huron Street and 1071 Colborne Street; it being noted that the LACH reviewed and received a Notice dated September 21, 2016, from M. Pease, Planner II, with respect to this matter;
- c) the following actions be taken with respect to the Stewardship Sub-Committee:
 - i) Regina Mundi Catholic College (5200 Wellington Road South) BE ADDED to the Inventory of Heritage Resources (Register) based on the cultural heritage value/interest information included in the Stewardship Sub-Committee Report; and,
 - ii) it BE NOTED that the Stewardship Sub-Committee minutes appended to the 10th Report of the London Advisory Committee on Heritage from its meeting held on September 28, 2016, were received;

it being noted that the London Advisory Committee on Heritage heard a verbal presentation from J. Davidson, Superintendent of Business, London District Catholic School Board, in conjunction with this matter;

- d) the application under section 42 of the *Ontario Heritage Act* to partially rebuild the lower front porch of the building located at 40 Byron Avenue East, within the Wortley Village-Old South Heritage Conservation District, BE APPROVED as described in the staff report dated October 12, 2016, SUBJECT TO the condition that all exposed wood be painted within twelve (12) months of the date of this heritage approval;
- e) the application under section 42 of the *Ontario Heritage Act* to build a new rear lane building (garage) at 865 Hellmuth Avenue, within the Bishop Hellmuth Heritage Conservation District, BE APPROVED as described in the staff report dated October 12, 2016 SUBJECT TO the following terms and conditions:
 - i) the wood board and batten exterior cladding be painted or stained; and,
 - ii) the Heritage Alteration Permit being displayed in a location visible from the street, until the work is completed;
- 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 alter the porch, stain the brick, and alter the gable window of the building located at 293 Central Avenue, within the West Woodfield Heritage Conservation District, BE

APPROVED as described in the staff report dated October 12, 2016
SUBJECT TO the following terms and conditions:

- i) painted wood balustrade, composed of wood spindles set with traditional spacing between wood top and bottom rails be affixed to the existing square piers;
- ii) painted wood lattice be used as the porch apron/skirting;
- iii) the existing limestone piers of the porch not be clad in new limestone veneer;
- iv) the property owner be encouraged to not use the stain on the brick;
- v) two 24" by 24" (maximum) sash windows separated by a mullion replace the existing single window in the gable with trim detail restored;
- vi) all alterations to the property be done in accordance with the West Woodfield Heritage Conservation Plan and Guidelines; it being noted that the door and windows that have been installed are not in keeping with the Plan and Guidelines; and,
- vii) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed

it being noted that the property owner is encouraged to not use the stain product on the brick and any alterations to the property be undertaken in accordance with the West Woodfield Heritage Conservation District Plan and Guidelines; it also being noted that the door and window that have been installed are not in keeping with the West Woodfield Heritage Conservation District Plan and Guidelines; and,

- g) clauses 1, 3 to 6, 8 to 10 and 15, BE RECEIVED;

it being noted that the Planning and Environment Committee received the attached presentation from Jim Sheffield, London District Catholic School Board, with respect to the Stewardship Sub-Committee report.

Voting Record:

Motion Passed

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

Motion to approve hearing the delegation

Motion Passed

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

Motion to receive the delegation.

Motion Passed

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

Motion to adopt part c) of the recommendation with respect to the Stewardship Sub-Committee Report.

Motion Passed

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

NAYS: P. Hubert (1)

6. Byron Gravel Pit Secondary Plan Terms of Reference (O-8434)

That on the recommendation of the Managing Director, Planning and City Planner, the Terms of Reference for the Byron Pit Secondary Plan appended to the staff report dated October 17, 2016, BE APPROVED;

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-E10)

Motion Passed

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

7. Property located at 169 Foster Avenue (Z-8651)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Nathan and Valon McInnis, relating to the property located at 169 Foster Avenue:

- a) the proposed by-law appended to the staff report dated October 17, 2016, BE INTRODUCED at the Municipal Council meeting to be held on October 25, 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 (R1-7) Zone TO a Residential R1/Residential R8 Special Provision (R1-7/R8-4(_)) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following through the site plan process:
 - i) providing 10 parking spaces to allow for additional landscaping and amenity area on the site;
 - ii) ensuring that the proposed building is generally in line with the existing buildings along Foster Avenue in order to continue the existing street wall;
 - iii) ensuring that the west building elevation includes several projections and recessions in order to break up the mass of the building, similar to what was shown in the submitted ZBA application;
 - iv) ensuring that active building uses such as units, lobbies, or common areas are located along the street edge with windows on the west elevation in order to activate the street edge;
 - v) ensuring all parking areas are screened from the street using landscaping;
 - vi) minimizing the impacts on the trees located along the west property line in order to ensure that the trees remain intact during and post construction; and,
 - vii) including a walkway from the principle building entrance to the city Right-of-Way;

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 this application for the following reasons:

- the recommended amendment is consistent with the policies of the Provincial Policy Statement (2014);
- the proposed amendment is consistent with the Low Density Residential policies of the City of London Official Plan;
- the subject site is underutilized and unique in the context of the neighbourhood and surrounding area; and
- the proposed development will provide an opportunity for affordable housing for seniors within the City and will allow them to continue to live independently within an active community;

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

Motion Passed

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

Voting Record:

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 defer the decision on the matter to later in the meeting.

Motion Passed

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

8. Properties located at 1680 Richmond Street and 95 and 97 Fanshawe Park Road East (Z-8652)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application by Cadillac Fairview Corporation Limited, relating to the property located at 1680 Richmond Street and 95 and 97 Fanshawe Park Road East, the proposed by-law appended to the staff report dated October 17, 2016, BE INTRODUCED at the Municipal Council meeting to be held on October 25, 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 Regional Shopping Area (RSA1) Zone TO a Regional Shopping Area Special Provision (RSA1(_)) 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;

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

- 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 Enclosed Regional Commercial Node policies of the City of London Official Plan; and,

- the property is of a sufficient size and configuration to accommodate the intensity of the requested use without resulting in any negative land use impacts on surrounding properties;

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

Motion Passed

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

RECUSED: T. Park (1)

Voting Record:

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, S. Turner (4)

9. 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 proposed new Sign By-law and proposed amendments to the current Sign and Canopy By-law:

- a) the staff report dated October 17, 2016, from the Managing Director, Development and Compliance Services and Chief Building Official, which includes the attached draft Sign By-law, BE RECEIVED for information, and,
- b) the Civic Administration BE REQUESTED to report back at a public participation meeting to be held at a future meeting of the Planning and Environment Committee with any proposed changes to the draft by-law referenced in part (a) above, in response to comments received at the October 17, 2016, public participation 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-P01)

Motion Passed

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

Voting Record:

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

None.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VI. CONFIDENTIAL

(Confidential Appendix enclosed for Members only.)

(See Confidential Appendix to the 18th Report of the Planning and Environment Committee enclosed for Members only.)

The Planning and Environment Committee convened in camera from 7:20 PM to 7:22 PM after having passed a motion to do so, with respect to the following matters:

C-1. A matter pertaining to personal matters about identifiable individuals including municipal or local board employees, relating to the 2017 Mayor's New Year's Honour List; and,

C-2. A matter pertaining to personal matters about identifiable individuals including municipal or local board employees, relating to the 2017 Mayor's New Year's Honour List.

VII. ADJOURNMENT

The meeting adjourned at 7:23 PM.