

4TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on February 6, 2017, commencing at 4:00 PM, in the Council Chambers, Second Floor, London City Hall.

PRESENT: Councillor T. Park (Chair) and Councillors M. Cassidy, J. Helmer, A. Hopkins and S. Turner and H. Lysynski (Secretary).

ALSO PRESENT: Councillors P. Squire, H.L. Usher and M. van Holst; J. Adema, G. Bailey, A. DiCicco, M. Elmadhoon, J.M. Fleming, S. Galloway, T. Grawey, N. Hall, G. Kotsifas, A. Macpherson, L. Maitland, L. McDougall, H. McNeely, D. Popadic, C. Saunders, J. Smolarek, S. Spring, M. Tomazincic and J. Yanchula.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor A. Hopkins disclosed a pecuniary interest in clause 11 of this Report having to do with the Minister's modifications to the London Plan as it relates to secondary dwelling units, by indicating that her son owns property that he rents in the Near Campus Neighbourhood.

II. CONSENT ITEMS

2. 2nd Report of the Environmental and Ecological Planning Advisory Committee

That the following actions be taken with respect to the 2nd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on January 19, 2017:

- a) the following Working Groups, BE ESTABLISHED to review the application by Sifton Properties Limited, relating to the properties located at 3614 and 3630 Talbot Road and 6621 Pack Road and to report back at the next Environmental and Ecological Planning Advisory Committee (EEPAC) meeting:

Geotechnical and Hydrogeological Review – I. Whiteside and A. Regehr;

Subject Land Status Report – R. Trudeau (Lead), C. Evans and S. Levin;

it being noted that the EEPAC reviewed and received a Notice, dated January 11, 2017, from N. Pasato, Senior Planner, with respect to this matter;

- b) the Working Group comments dated December 12, 2016, related to the Baker Lands Environmental Impact Study for the properties located at 1577 and 1687 Wilton Grove Road, BE FORWARDED to the Civic Administration for consideration;

- c) the following actions be taken with respect to the Environmental and Ecological Planning Advisory Committee Workplan:

i) the 2017 Work Plan for the Environmental and Ecological Planning Advisory Committee (EEPAC) appended to the 2nd Report of the EEPAC BE FORWARDED to the Municipal Council for consideration; and,

ii) it BE NOTED that the 2016 Environmental and Ecological Planning Advisory Committee (EEPAC) Workplan Summary appended to the 2nd Report of the EEPAC was received; and,

- d) clauses 1 to 6, 8 to 12, 15 and 16, BE RECEIVED.

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

3. 2nd Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 2nd Report of the Trees and Forests Advisory Committee from its meeting held on January 25, 2017, was received.

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

4. STAFF REPORT - Phase I Conservation Master Plan (CMP) for the Medway Valley Heritage Forest (MVHF) Environmentally Significant Area (ESA) (south)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Medway Valley Heritage Forest Environmentally Significant Area (south) Conservation Master Plan Phases I and II:

- a) the Natural Heritage Inventory and Evaluation for the Medway Valley Heritage Forest Environmentally Significant Area (MVHF ESA), forming Phase I of the Conservation Master Plan appended to the staff report dated February 6, 2017 as Appendix 'A', BE APPROVED in accordance with Section 15.3.8. of the Official Plan and policies 1421 and 1422 of The London Plan;
- b) the Addendum to the Natural Heritage Inventory and Evaluation MVHF ESA, including the existing trail review appended to the staff report dated February 6, 2017 as Appendix 'B', BE APPROVED in accordance with Section 15.3.8. of the Official Plan and policies 1421 and 1422 of The London Plan;
- c) the Local Advisory Committee BE INCLUDED in the trail planning and discussions relating to environmentally significant areas as appropriate;
- d) the members of the Environmental and Ecological Planning Advisory Committee, Nature London and the community BE THANKED for their work in the review and comments on the Phase I document; and,
- e) based on the process within the recently updated Guidelines for Management Zones and Trails in ESAs, Phase II of the Conservation Master Plan for the Medway Valley Heritage Forest Environmentally Significant Area (south) BE INITIATED. (2017-E20)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

5. STAFF REPORT - Single Source Purchase for Complex Ecological Restoration Works in Westminster Ponds/Pond Mills Environmentally Significant Area

That, on the recommendation of the Managing Director, Planning and City Planner regarding the complex ecological-restoration works in Westminster Ponds / Pond Mills Environmentally Significant Area, east of the tourism building a single source purchase for the implementation of complex, ecological-restoration works by St. Williams Nursery and Ecology Centre for \$68,781.00, excluding HST, BE APPROVED in accordance with Section 14.4 (e) of the Procurement of Goods and Services Policy. (2017-E20)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

6. STAFF REPORT - Properties located at 598, 600, 604 and 608 Springbank Drive (Z-8374)

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated February 6, 2017 entitled "Application by York Development Group MAI Inc., 598, 600, 604 and 608 Springbank Drive", BE RECEIVED for information. (2017-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

7. STAFF REPORT - Properties located at 100 Fullarton Street and 93-95 Dufferin Avenue (Z-8617)

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated February 6, 2017 entitled "Application by Rygar Properties Inc., 100 Fullarton Street, 475 to 501 Talbot Street and 93 to 95 Dufferin Avenue" BE RECEIVED for information; it being noted that the Planning and Environment Committee reviewed and received a communication from A.M. Valastro, 133 John Street, with respect to this matter. (2017-D09/L01)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

8. STAFF REPORT - Summerside Subdivision - Lands Located West of Meadowgate Boulevard and East of Highbury Avenue South (39T-92020-D)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Drewlo Holdings Inc., relating to the property located on the south side of Evans Boulevard, west of Meadowgate Boulevard, east of Highbury Avenue South, legally described as Part of Lots 15 and 16, Concession 1 (former Geographic Township of Westminster and now in the City of London):

- a) the Approval Authority BE ADVISED that the Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision, as red-line amended, SUBJECT TO the conditions appended to the staff report dated February 6, 2017 as Appendix "A" #39T-92020-D; and,
- b) the applicant BE ADVISED that the Director of Development Finance has summarized the estimated costs and revenues information appended to the staff report dated February 6, 2017 as Appendix "B". (2017-D12)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

9. STAFF REPORT - Property located at 1300 Fanshawe Park Road East (39T-04512)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Draft Plan of Subdivision application of 700531 Ontario Limited (Marsman), relating to the property located at 1300 Fanshawe Park Road East:

- a) the Approval Authority BE ADVISED that the Municipal Council supports a three (3) year extension to Draft Approval for the draft plan of subdivision submitted by 700531 Ontario Limited, prepared by AGM Ltd., certified by Bruce S. Baker, Ontario Land Surveyor (Plan No. 9-L-4901, dated August 30, 2016), which shows one (1) commercial block, two (2) high density residential blocks, one (1) medium density residential block, one (1) park block, and several reserve and road widening blocks served

by one (1) new secondary collector road (Blackwell Boulevard) SUBJECT TO the revised conditions appended to the staff report dated February 6, 2017, as Schedule "A"; and,

- b) the applicant BE ADVISED that the Director of Development Finance has projected the following claims and revenues information appended to the staff report dated February 6, 2017 as Schedule "B". (2017-D12)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

10. STAFF REPORT - Strategic Plan Progress Variance

That, on the recommendation of the City Manager, the staff report dated February 6, 2017 entitled "Strategic Plan Progress Variance" BE RECEIVED for information. (2017-C08)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

11. STAFF REPORT - Ministers Modifications to the London Plan - Secondary Dwelling Units

That, the following actions be taken with respect to the Minister's modifications to the London Plan as they relate to secondary dwelling units and specifically Policy 942:

- a) the report of the Managing Director, Planning and City Planner, dated February 6, 2017 and entitled "Minister's Modifications to the London Plan Secondary Dwelling Units", BE RECEIVED; and,
- b) the Civic Administration BE DIRECTED to make the necessary arrangements to hold a Public Participation Meeting before the Planning and Environment Committee to receive input from the public with respect to the Minister's modifications to the London Plan regarding secondary dwelling units;

it being noted that the Planning and Environment Committee received a delegation and the attached communication from Mr. J. Schlemmer, Neighbourhood Legal Services with respect to this matter. (2017-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, S. Turner (4)

RECUSED: A. Hopkins (1)

Voting Record:

Motion to grant Mr. J. Schlemmer, Neighbourhood Legal Services, delegation status.

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins (4)

NAYS: S. Turner (1)

12. STAFF REPORT - The London Plan - Appeals to the Ontario Municipal Board

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated February 6, 2017 entitled "The London Plan Appeals to the Ontario Municipal Board" BE RECEIVED for information. (2017-L01)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

13. Building Division Monthly Report - December 2016

That the Building Division monthly report for the month of December, 2016, BE RECEIVED. (2017-A23)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, S. Turner (4)

III. SCHEDULED ITEMS

14. PUBLIC PARTICIPATION MEETING - Minimum Distance Separation (MDS) Zoning Review (Z-8718)

That, on the recommendation of the Managing Director, Planning and City Planner, the proposed by-law appended to the staff report dated February 6, 2017 BE INTRODUCED at the Municipal Council meeting to be held on February 14, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to:

- a) amend the Section Number 4.32 of the General Provisions to provide new regulations to reference the updated MDS guidelines;
- b) amend Section Number 45.1 of the Agricultural (AG) Zone to reference the updated MDS guidelines; and,
- c) amend Section Number 45.3 of the Agricultural (AG) Zone to reference the updated MDS guidelines and remove Schedules 'C' and 'D';

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the attached public participation meeting record made oral submissions regarding these matters;

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

- the Provincial Policy Statement (PPS) 2014 direct municipalities to use Minimum Distance Separation (MDS) to address manure impacts;
- both the 1989 Official Plan and The London Plan provide policies on implementing MDS within the City of London, and the proposed amendment is in conformity with those policies;
- the Zoning By-law Z.-1 currently contains regulations which apply to a version of the MDS formulae which is no longer supported by Provincial or Municipal policy; and,
- the proposed amendments would ensure that MDS is applied in London in accordance with the most recent MDS formulae and guidelines. (2017-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

Motion to open the public participation meeting.

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

Motion to close the public participation meeting.

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

IV. ITEMS FOR DIRECTION

15. STAFF REPORT - Property located at 1 Terrace Street – Brownfield Incentive

That consideration of the application from 2423652 Ontario Ltd., relating to a Brownfield Incentive for the property formerly known as 1 Terrace Street BE REFERRED to the next Planning and Environment Committee meeting for consideration; it being noted that the applicant requested the referral. (2017-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

16. PUBLIC SUBMISSIONS – Properties located at 946, 954 and 962 Longworth Road (H8713)

That delegation status BE GRANTED to C. Linton, Developro Land Services Inc., M. Kasem, 6726 Navin Crescent, M. Chadi, 978 Longworth Road; T. Kasem, 6730 Navin Crescent and A. Saab, 986 Longworth Road, at a future meeting of the Planning and Environment Committee, concurrent with a staff report with respect to the request to remove the h-189 holding provision for the properties located at 946, 954 and 962 Longworth Road;

it being noted that the Planning and Environment Committee reviewed and received the following communications:

- a communication dated January 23, 2017, from C. Linton, Developro Land Services Inc.;
- a communication dated January 23, 2017, from M. Kasem, 6726 Navin Crescent;
- a communication dated January 27, 2017, from M. Chadi, 978 Longworth Road;
- a communication dated January 25, 2017, from T. Kasem, 6730 Navin Crescent; and,
- a communication from A. Saab, 986 Longworth Road.

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, S. Turner (4)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

17. (ADDED) STAFF REPORT - Use of New Technology for Engagement

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated February 6, 2017 entitled "Use of New Technology for Engagement" BE RECEIVED for information. (2017-M17)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, S. Turner (4)

18. (ADDED) 1st Report of the Agricultural Advisory Committee

That the following actions be taken with respect to the 1st Report of the Agricultural Advisory Committee from its meeting held on January 18, 2017:

- a) the Civic Administration BE ADVISED that the Agricultural Advisory Committee (AAC) supports the Farm Property Class Tax Ratio for 2016 and recommends the continuation of the same ratio in 2017; it being

noted that the AAC heard a delegation from J. Logan, Division Manager, Taxation and Revenue, with respect to this matter;

- b) the following comments with respect to the application by 748094 Ontario Inc. and 2624 Jackson Road Inc., relating to the lands located on the east side of Jackson Road between Commissioners Road East and Bradley Avenue BE FORWARDED to the Civic Administration for consideration, the Agricultural Advisory Committee is not supportive of the application due to:
 - i) the encroachment on the urban growth boundary;
 - ii) the priority of the City of London should be preserving the rural/urban interface; and,
 - iii) approving this application promotes urban sprawl within City limits;
- c) consideration of the recommendation related to beekeeping in London BE DEFERRED to the March 15, 2017 meeting of the Agricultural Advisory Committee (AAC); it being noted that the AAC held a general discussion related to the matter and reviewed the submission by S. Franke; and,
- d) clauses 1 to 3, 5, 6 and 9, BE RECEIVED.

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, S. Turner (4)

VI. CONFIDENTIAL

(Confidential Appendix enclosed for Members only.)

The Planning and Environment Committee convened in camera from 6:13 PM to 7:15 PM after having passed a motion to do so, with respect to the following matter:

- C-1. A matter being considered that pertains to litigation or potential litigation with respect to appeals to the Ontario Municipal Board arising out of the London Plan and advice that is subject to solicitor-client privilege, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation with respect to appeals to the Ontario Municipal Board arising out of the London Plan.

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer, S. Turner (4)

VII. ADJOURNMENT

The meeting adjourned at 7:15 PM.