

5TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on March 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, A. Hopkins and S. Turner and H. Lysynski (Secretary).

ABSENT: Councillor J. Helmer.

ALSO PRESENT: Mayor M. Brown, Councillors V. Ridley and M. van Holst; G. Bailey, S. Chambers, E. Conway, M. Elmadhoon, J.M. Fleming, K. Gonyou, T. Grawey, K. Killen, G. Kotsifas, J. MacKay, L. Mottram, N. Pasato, L. Pompilli, J. Ramsay, C. Saunders, 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. 3rd Report of the Advisory Committee on Environment

That the following actions be taken with respect to the 3rd Report of the Advisory Committee on the Environment from its meeting held on February 1, 2017:

- a) the following actions be taken with respect to gas tax funding:
- i) the Civic Administration BE REQUESTED to provide copies of gas tax reports (provincial and federal) to the Advisory Committee on the Environment (ACE) on an ongoing basis; it being noted that the ACE mandate pertains to these capital budget allocations; and,
 - ii) the ACE BE ADVISED of the City of London budget consultation process and dates in a timely manner; it being noted that the ACE received the presentation appended to the 3rd Report of the ACE from A. Dunbar, Manager III, Financial Planning and Policy, related to this matter; and,
- b) clauses 1, 3 to 8, BE RECEIVED.

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

3. 3rd Report on the London Advisory Committee Heritage

That the following actions be taken with respect to the 3rd Report of the London Advisory Committee on Heritage from its meeting held on February 8, 2017:

- a) the Civic Administration BE ADVISED that, in the opinion of the London Advisory Committee on Heritage (LACH), the application by Market West (London) relating to the properties located at 89, 93, 95 and 97 King Street does not have any adverse impacts to the on-site heritage resources; it being noted that the LACH further points out that the Heritage Impact Assessment does not adequately address the following impacts to adjacent heritage resources:
- podium height and design in relation to the King Street and Talbot Street streetscapes;
 - lack of assessment to surrounding heritage resources to the south and west; and,

- the historical research in the Heritage Impact Assessment was not done thoroughly;

it being further noted that the LACH recognizes alleyways as important resources in the Downtown Heritage Conservation District and that the LACH wishes to be consulted regarding the potential commemoration;

- b) the delegation request from A.M. Valastro related to the North Talbot Neighbourhood Heritage Conservation District BE APPROVED for a future meeting of the London Advisory Committee on Heritage; and,
- c) clauses 1 to 4, 6, 8 and 9, BE RECEIVED.

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

- 4. STAFF REPORT – Property located at 259 Sunningdale Road West (H-8095)

That, on the recommendation of the Manager, Development Services, based on the application of Sunningdale Golf and Country Club, relating to the property located at 259 Sunningdale Road West, the proposed by-law appended to the staff report dated March 6, 2017, BE INTRODUCED at the Municipal Council meeting to be held on March 21, 2017 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 Open Space (h-2*OS1) Zone TO an Open Space (OS1) Zone to remove the h-2 holding provision. (2017-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

- 5. STAFF REPORT - Property located at 2120 Kains Road (H-8676)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Sifton Properties Limited, relating to the property located at 2120 Kains Road, the proposed by-law appended to the staff report dated March 6, 2017, BE INTRODUCED at the Municipal Council meeting to be held on March 21, 2017, 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 Special Provision (h.*R6-5 (22)) Zone TO a Residential R6 Special Provision (R6-5 (22)) Zone to remove the “h” holding provision. (2017-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

- 6. STAFF REPORT - Properties located at 1826 and 1854 Oxford Street West and 1170 Riverbend Road South Phase 1 (H-8716)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 1826 and 1854 Oxford Street West and 1170 Riverbend Road, on the south of Oxford Street West and east of Westdel Bourne, described as Lots 1-90 and Block 91 as shown on the draft-approved plan of subdivision (File No. 39T-14505 – Riverbend South Phase 1), the proposed by-law appended to the staff report dated March 6, 2017, BE INTRODUCED at the Municipal Council meeting to be held on March 21, 2017 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h•R1-5) Zone, a Holding Residential R1 (h•h-196•R1-5) Zone and a Holding Residential R5/R6 (h•R5-6/R6-5) Zone TO a Residential R1 (R1-5) Zone and a Residential R5/R6 (R5-6/R6-5) Zone to remove the holding (h and h-196) provisions. (2017-D07)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

7. STAFF REPORT - Jubilee Subdivision (39T-16501)

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the subdivisions of land over Block 241, Plan 33M-605, City of London, County of Middlesex, situated on the east side of Blackacres Drive, south of Jubilee Crescent, known as 1931 Jubilee Crescent:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc. for the Jubilee Crescent Subdivision (39T-16501) appended to the staff report dated March 6, 2017 as Schedule "A", BE APPROVED;
- b) the applicant BE ADVISED that the Director, Development Finance, has summarized the claims and revenues appended to the staff report dated March 6, 2017, as Schedule "B",
- c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions;
- d) the Municipal Council BE REQUESTED to advise the London Police Services Board of the new development and to actively enforce the *Highway Traffic Act* for the duration of the construction for this subdivision; and,
- e) the Municipal Council BE ADVISED that there will be increased operating and maintenance costs for works being assumed by the City. (2017-D12)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

8. STAFF REPORT - Property located at 1647 Fanshawe Park Road East (39T-105030)

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and 756949 Ontario Ltd., for the subdivisions of land over Part of Lots 1, 2 and 3 on Registered Plan 120(C), City of London, County of Middlesex, situated on the south side of Fanshawe Park Road East between Highbury Avenue North and Cedarhollow Boulevard:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and 756949 Ontario Ltd., for the O'Hanlan Subdivision (39T-10503) appended to the staff report dated March 6, 2017, as Schedule "A", BE APPROVED;
- b) the Applicant BE ADVISED that the Director, Development Finance has summarized the claims and revenues appended to the staff report dated March 6, 2017, as Schedule "B";
- c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions; and,
- d) the Municipal Council BE REQUESTED to advise the London Police Services Board of the new development and to actively enforce the *Highway Traffic Act* for the duration of the construction for this subdivision. (2017-D12)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

III. SCHEDULED ITEMS

9. PUBLIC PARTICIPATION MEETING - City Wide Amendments (Z-8703)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the Corporation of the City of London, relating to the Zoning By-law review of artisanal uses in commercial and industrial areas in the City of London:

- a) the proposed by-law appended to the staff report dated March 6, 2017, BE INTRODUCED at the Municipal Council meeting to be held on March 21, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), TO:
 - i) add the definition of "ARTISAN WORKSHOP" to Section 2 (Definitions);
 - ii) add the definition of "CRAFT BREWERY" to Section 2 (Definitions);
 - iii) amend the definition of "CUSTOM WORKSHOP" in Section 2 (Definitions) to include Artisan Workshop;
 - iv) add parking standards for "ARTISAN WORKSHOP" to Section 4.19 10) b) (Parking Standards Areas 2 and 3);
 - v) add parking standards for "CRAFT BREWERY" to Section 4.19 10) b) (Parking Standards Areas 2 and 3);
 - vi) amend Section 20 (Downtown Area (DA1) Zone variation), Section 20 (Downtown Area (DA2) Zone variation), Section 25 (Business District Commercial (BDC) Zone variation), Section 26 (Arterial Commercial (AC4) Zone variation), and Section 40 (Light Industrial (LI1) Zone variation) to add "ARTISAN WORKSHOP" and "CRAFT BREWERY" as a permitted use;
 - vii) add new regulations to Section 20 (Downtown Area (DA1) Zone variation), Section 20 (Downtown Area (DA2) Zone variation), Section 25 (Business District Commercial (BDC) Zone variation), and Section 26 (Arterial Commercial (AC4) Zone variation) to provide a gross floor area maximum for "ARTISAN WORKSHOP" and "CRAFT BREWERY" uses;
 - viii) add new regulations to Section 20 (Downtown Area (DA1) Zone variation), Section 20 (Downtown Area (DA2) Zone variation), Section 25 (Business District Commercial (BDC) Zone variation), and Section 26 (Arterial Commercial (AC4) Zone variation) to require a retail or restaurant use for "ARTISAN WORKSHOP" and "CRAFT BREWERY" uses located on the ground floor with street front access; and,
 - ix) add new regulations to Section 40 (Light Industrial (LI1) Zone variation) to provide a gross floor area maximum, parking rate, and access requirements to all ancillary uses to "ARTISAN WORKSHOP" and "CRAFT BREWERY" uses; and,
- b) the Civic Administration BE DIRECTED to report back at a future Planning and Environment Committee meeting with an amendment to allow outdoor patios for Craft Brewers and Artisanal Workshops;

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

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, which promotes economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses

which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

- the recommended Zoning By-law amendment is consistent with, and will serve to implement the policies of the City of London Official Plan related to economic development initiatives, support for unique neighbourhoods, and the planned function of the individual land use designations which the new uses would be permitted in;
- the recommended Zoning By-law amendment is consistent with, and will serve to implement the city-wide policies of The London Plan related to the revitalization of urban neighbourhoods and business areas and the promotion of a vibrant business environment that offers a wide range of economic opportunities as well as the planned function of the individual place types which the new uses would be permitted in; and,
- the recommendation is consistent with the general intent of the Zoning By-law and provides for uses that are not currently provided for within the Zoning By-law. (2017-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

Voting Record:

Motion to open the public participation meeting.

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

10. DELEGATION – Properties located at 946, 954 and 962 Longworth Road (H8713)

That, on the recommendation of the Planner II, Development Services, based on the application of Norquay Buttonbush Land Corp., relating to the properties located at 946, 954 and 962 Longworth Road, the proposed by-law appended to the staff report dated March 6, 2017, BE INTRODUCED at the Municipal Council meeting to be held on March 21, 2017, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Residential R1 (h-94*R1-8) Zone and a Holding Residential R1 (h-189*R1-8) Zone TO a Residential R1 (R1-8) Zone to remove the “h-94” and “h-189” holding provisions; it being noted that the Planning and Environment Committee a heard verbal delegation from C. Linton, Developro Land Services Inc., with respect to this matter. (2017-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

11. PUBLIC PARTICIPATION MEETING – Property located at 1170 Riverbend Road (39CD-16515/SPA16-046)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited, relating to the lands located at 1170 Riverbend Road:

- 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 Draft Plan of Vacant Land Condominium for the subject lands; and,

- 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 Site Plan Approval application for the subject lands;

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 an oral submission regarding these matters;

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

- the proposed draft plan of vacant land condominium conforms to the City's Official Plan and Condominium Submission Review and Approval Guidelines;
- the proposed residential use is permitted under the Zoning By-law. A concurrent application has been made to remove the holding provision, and is being brought forward under separate report; and,
- application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium. The application for Site Plan Approval has advanced to the stage where a development agreement is being finalized and securities have been received by the City;

it being further noted that Municipal Council received comments from the agent for the applicant in support of the staff recommendation. (2017-D07)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

Voting Record:

Motion to open the public participation meeting.

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

Motion to close the public participation meeting.

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

12. DELEGATION - Property located at Former 1 Terrace Street

That, on the recommendation of the Managing Director, Planning and City Planner, relating to the property formerly municipally numbered as 1 Terrace Street, the application from 2423652 Ontario Ltd. for a reimbursement on 50% of Development Charges paid by property owners other than the applicant, up to a maximum amount of \$147,422.22 BE REFUSED as the application does not conform with the program requirements in the Community Improvement Plan for Brownfield Incentives; it being noted that the Planning and Environment Committee heard a verbal delegation from P. Hinde, Manager, Land Development, Tridon Group of Companies, with respect to this matter. (2017-D09)

Motion Passed

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

IV. ITEMS FOR DIRECTION

13. Request for Business Improvement Area - Hamilton Road

That the following actions be taken with respect to the request to create a Hamilton Road Business Improvement Area:

- a) the letter dated February 9, 2017 from R. Pinheiro, President, Hamilton Road Area Business Association requesting the creation of a Hamilton Road Business Improvement Area, BE RECEIVED;
- b) the Civic Administration BE REQUESTED to provide \$50,000 funding from the appropriate funding source as identified by the Civic Administration; and,
- c) the Civic Administration BE DIRECTED to take the steps necessary, in 2018, to create a Hamilton Road Business Improvement Area. (2017-D19)

Motion Passed

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

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

14. (ADDED) StormFisher Operations

That delegation status BE GRANTED to B. Moffatt, StormFisher, at a future meeting of the Planning and Environment Committee, concurrent with a staff report with respect to an outline of StormFisher operations. (2017-E07)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins, S. Turner (4)

VI. ADJOURNMENT

The meeting adjourned at 5:48 PM.