

6TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on March 27, 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 M. van Holst and J. Zaifman; G. Bailey, M. Corby, M. Elmadhoon, J.M. Fleming, K. Gonyou, T. Grawey, P. Kokkoros, G. Kotsifas, J. MacKay, A. MacLean, A. Macpherson, J. Ramsay, M. Ribera, A. Riley, C. Saunders, 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 10 of this Report having to do with the property located at 581 Ross Street, by indicating that her son owns rental property in the Near Campus Neighbourhood.

II. CONSENT ITEMS

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

That the 3rd Report of the Trees and Forests Advisory Committee from its meeting held on March 22, 2017, BE RECEIVED.

Motion Passed

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

3. STAFF REPORT - Powell Subdivision - Phase 4 (38T-15504)

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 2047790 Ontario Inc., for the subdivision of land over Part of Lot 14, Concession 6, (Geographic Township of London), City of London, County of Middlesex, situated on the north side of Superior Drive, west of Adelaide Street North, municipally known as 530 Sunningdale Road East:

- a) the Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and 2047790 Ontario Inc., for the Powell Subdivision, Phase 4 (39T-15504) appended to the staff report dated March 27, 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 27, 2017, as Schedule "B"; and,
- c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2017-D12)

Motion Passed

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

4. STAFF REPORT - Properties located at 2870 and 2900 Tokala Trail (H-8717)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Foxwood Development, relating to the properties located at 2870 and 2900 Tokala Trail, the proposed by-law appended to the staff report dated March 27, 2017, BE INTRODUCED at the Municipal Council meeting to be held on April 4, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Residential R5 (h-h-71-h-100-R5-7) Zone TO a Residential R5 (R5-7) Zone, to remove the h, h-71 and h-100 holding provisions. (2017-D09)

Motion Passed

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

5. STAFF REPORT - Subdivision and Development Agreement Security Policy - 2016 Update

That, on the recommendation of the Manager, Development Services and Engineering Liaison, the proposed by-law appended to the staff report dated March 27, 2017, BE INTRODUCED at the Municipal Council meeting to be held on April 4, 2017 to repeal and replace Council Policy 19(18) entitled "Subdivision & Development Agreement Security Policy" with an updated Council Policy 19(18) entitled "Subdivision & Development Agreement Security Policy". (2017-F25)

Motion Passed

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

6. STAFF REPORT - Annual Report on Building Permit Fees

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the staff report dated March 27, 2017, entitled "Annual Report on Building Permit Fees", BE RECEIVED for information. (2017-F21)

Motion Passed

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

7. STAFF REPORT - Building Division Monthly Report - February 2017

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

Motion Passed

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

III. SCHEDULED ITEMS

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

That the following actions be taken with respect to the 4th Report of the London Advisory Committee on Heritage:

- a) consideration of the request for the demolition of a heritage listed property located at 34 Muir Street BE POSTPONED until after the public participation meeting later in the meeting;
- b) the following actions be taken with respect to the Education Sub-Committee report appended to the 3rd Report of the London Advisory Committee on Heritage from its meeting held on March 6, 2017:

- i) the renaming of Carfrae Park West to Charles Hunt Park BE SUPPORTED by the London Advisory Committee on Heritage; and,
 - ii) it BE NOTED that the remainder of the Education Sub-Committee report was received;
- c) on the recommendation of the Managing Director, Planning and City Planner, on the advice of the Heritage Planner, notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, of the Municipal Council's intent to designate the property located at 43 Bruce Street to be of cultural heritage value or interest for the reasons outlined in the staff report dated March 8, 2017;
- d) the following actions be taken with respect to the Heritage Alteration Permit application by Feroze Zubair, relating to the property located at 30 Oxford Street West in the Blackfriars/Petersville Heritage Conservation District:
- i) the application BE REFUSED as submitted as the alterations are contrary to the objectives of the Blackfriars/Petersville Heritage Conservation District Plan; and,
 - ii) the applicant BE ADVISED that the London Advisory Committee on Heritage supports the following terms and conditions for a future Heritage Alteration Permit application:
 - A) installation of a hung style window which fills the entire void of the brick opening on the west façade;
 - B) reinstatement of the transom above the front door with a glass pane;
 - C) painting of the replacement door and window to complement the house; and,
 - D) display of the Heritage Alteration Permit in a location visible from the street until the work is completed; and,
- e) clauses 1, 3 to 10, 14 to 19, BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from D. Dudek, Chair, LACH, with respect to these matters.

Motion Passed

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

9. DELEGATION - 3rd Report of the Environmental and Ecological Planning Advisory Committee

That the following actions be taken with respect to the 3rd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on March 16, 2017:

- a) the revised Working Group comments dated March, 2017, related to the Eagle Ridge Phase 2 Environmental Impact Statement, BE FORWARDED to the Civic Administration for consideration;
- b) the revised Working Group comments dated February 10, 2017, related to the draft Colonel Talbot property Subject Lands Status Report, BE FORWARDED to the Civic Administration for consideration;
- c) K. Moser and S. Hall BE APPOINTED as the Representative and the Alternate, respectively, to the Local Advisory Committee for the Medway Valley Heritage Forest ESA (south) Conservation Master Plan - Phase 2;
- d) the following actions be taken with respect to the 2017 Environmental and Ecological Planning Advisory Committee (EEPAC) Work Plan:
 - i) Corporate Communications BE DIRECTED to assist the Working Group prior to the finalization of the brochure relating to keeping cats and dogs out of Environmentally Significant Areas; and,

- ii) it BE NOTED that the Working Group will provide a draft of the proposed Dark Sky/Bird Deaths from High Rises Initiative for the EEPAC to review at a future meeting;
- e) the Civic Administration BE REQUESTED to report back through the Planning and Environment Committee as to how the One River Environmental Assessment will be addressing the collection of data for all seasons; and,
- f) clauses 1 to 10 and 14, BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from S. Levin, Chair, EEPAC, with respect to these matters.

Motion Passed

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

10. PUBLIC PARTICIPATION MEETING – Property located at 581 Ross Street (Z-8695)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Ryan O'Donnell, relating to the property located at 581 Ross Street, the request to amend Zoning By-law No. 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, BE REFUSED for the following reasons:

- a) the proposed amendment is contrary to the North London Broughdale Neighbourhood policies and Near Campus Neighbourhood policies of the 1989 Official Plan;
- b) the proposed amendment is contrary to the Near Campus Neighbourhood policies of the London Plan; and,
- c) the proposed 4 unit, converted dwelling represents an over-intensification of the site;

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 refuses this application for the following reasons:

- the proposed amendment is contrary to the North London Broughdale Neighbourhood policies and the Near Campus Neighbourhood policies of the Official Plan;
- the proposed amendment is contrary to the Campus Neighbourhood policies of the London Plan; and,
- the proposed four unit, converted dwelling represents an over-intensification of the site. (2017-D09)

Motion Passed

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

RECUSED: A. Hopkins (1)

Voting Record:

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)

11. PUBLIC PARTICIPATION MEETING - Property located at 34 Muir Street - Demolition Request

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of a heritage listed property located at 34 Muir Street, the following actions be taken:

- a) 34 Muir Street 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;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2017-R01/P10D)

Motion Passed

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

Voting Record:

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)

12. PUBLIC PARTICIPATION MEETING - Properties located at 1013, 1133, 1170 and 1250 Meadowlark Ridge (Z-8726/P-8727)

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the applications of Rembrandt Meadowlilly Inc., relating to the properties located at 1013, 1133, 1170 and 1250 Meadowlark Ridge:

- a) the proposed by-law appended to the staff report dated March 27, 2017, BE INTRODUCED at the Municipal Council meeting to be held on April 4, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Residential R5 Special Provision/ Residential R6 Special Provision (R5-4(11)/R6-5(15)) Zone, which permits cluster housing in the form of single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, fourplex dwellings and cluster townhouse dwellings TO a Residential R1 Special Provision (R1-4(_)) Zone, to permit single detached dwellings with a minimum 10 metre setback from lands zoned Open Space (OS5);
- b) pursuant to subsection 50(7) of the *Planning Act*, R.S.O. 1990, c. P.13, a proposed by-law BE INTRODUCED at a future Municipal Council meeting, to exempt Parts of Blocks 1, 3, 4 and 13 in Registered Plan 33M-603 from Part Lot Control provisions in accordance with Section 50(7) of the *Planning Act*, R.S.O., 1990, for a period not to exceed two (2) years; it being pointed out that these lands are subject to a registered subdivision agreement and the rezoning as outlined above;

- c) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part Lot Control by-law for Parts of Blocks 1, 3, 4 and 13 in Registered Plan 33M-603, as noted in clause b) above:
- i) the applicant shall submit a draft reference plan to the Development Services Division for review and approval to ensure the proposed lots comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office;
 - ii) the applicant shall submit to the Development Services Division a digital copy together with a hard copy of each reference plan, as noted in part i) above, to be deposited; it being noted that the digital file shall be in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iii) the applicant shall obtain confirmation from Development Services that the assignment of municipal numbering has been completed, in accordance with the reference plan(s) to be deposited;
 - iv) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
 - v) the applicant shall enter into an amended subdivision agreement with the City for Registered Plan 33M-603 and provide adequate security; and,
 - vi) the R1-4 () Zone, as recommended in clause a) above, be in full force and effect;
- d) the Mayor and City Clerk BE AUTHORIZED to execute an amendment to the subdivision agreement between the Corporation of the City of London and Rembrandt Meadowlilly Inc., to implement updated servicing standards and other municipal requirements for the subdivision and any other agreements and all documents required to fulfil its conditions; and,
- e) the applicant BE ADVISED that the cost of registration of this Part Lot Control by-law is to be borne by the applicant in accordance with City policy;

it being noted that the Planning and Environment Committee reviewed and received a communication from G. Smith, President, Friends of Meadowlilly Woods Community Association and Member of the Urban League of London;

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

- the recommended Zoning By-law Amendments will permit single detached dwellings compatible with the uses in the area; and,
- the recommended zoning is appropriate and represents good land use planning. (2017-D09/D25)

Motion Passed

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

Voting Record:

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)

13. DELEGATION - Property located at 300 Dundas Street - Retroactive Tax Grant Incentive Program

That, on the recommendation of the Managing Director, Planning and City Planner, based on a grant application made on September 23, 2016, by 2335765 Ontario Inc., under the Tax Grant Incentive Program for the property located at 300 Dundas Street, the Civic Administration BE DIRECTED to process the grant application as retroactive to the date of issuance for building permit; it being noted that the Planning and Environment Committee heard a verbal presentation from K. Millson, 2335765 Ontario Inc., with respect to this matter. (2017-F11A)

Motion Passed

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

14. Trail Planning in the Riverbend South Area

That the verbal presentation from A. Macpherson, Manager, Environmental and Parks Planning, with respect to trail planning in the Riverbend South area, BE RECEIVED.

Motion Passed

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

IV. ITEMS FOR DIRECTION

15. 4th Report of the Advisory Committee on the Environment

That the following actions be taken with respect to the 4th Report of the Advisory Committee on the Environment from its meeting held on March 1, 2017:

- a) the following actions be taken with respect to the Advisory Committee on the Environment Work Plan:
 - i) the revised 2017 Work Plan for the Advisory Committee on the Environment BE FORWARDED to the Municipal Council for consideration; and,
 - ii) the revised 2016 Advisory Committee on the Environment Work Plan Summary BE FORWARDED to the Municipal Council for their information;
- b) consideration of the delegation request by S. Langer, National Diabetes Trust, related to textile waste and Diabetes Canada's textile diversion program BE DEFERRED to a future meeting of the Advisory Committee on the Environment (ACE) in order to allow the Waste Sub-Committee to follow up with Mr. Langer for more information; and,
- c) clauses 1 to 9, 11 to 15 and 17, BE RECEIVED.

Motion Passed

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

16. STAFF REPORT - Properties located at 100 Fullarton Street, 475-501 Talbot Street and 93-95 Dufferin Avenue - Brownfield CIP Incentives

That, the Brownfield Incentive application and Business Case submission from Rygar Properties Inc., relating to the properties located at 100 Fullarton Street, 475-501 Talbot Street, and 93-95 Dufferin Avenue, BE REFERRED to Civic Administration for further consultation with the applicant on the business case for

the brownfield incentives program, to refine the costs of remediation to exclude the costs, particularly for excavation, removal and disposal of soil, that would be incurred if the property was a clean site and not a brownfield site. (2017-D09)

Motion Passed

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

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

17. Deferred Matters List

That the Civic Administration BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration.

Motion Passed

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

VI. ADJOURNMENT

The meeting adjourned at 6:50 PM.