

8TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on April 24, 2017, commencing at 4:00 PM, in the Council Chambers, Second Floor, London City Hall.

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

ABSENT: S. Turner.

ALSO PRESENT: Councillors H.L. Usher and M. van Holst and G. Bailey, G. Barrett, L. Bruni, M. Campbell, A. Dunbar, M. Elmadhoon, J.M. Fleming, S. Galloway, T. Grawey, P. Kokkoros, G. Kotsifas, T. Macbeth, A. MacLean, A. Macpherson, B. O'Hagan, L. Pompilii, J. Ramsay, M. Ribera, J. Stanford, M. Tomazincic, B. Turcotte, A-B. Watson, B. Westlake-Power 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. 5th Report of the Advisory Committee on the Environment

That the following actions be taken with respect to the 5th Report of the Advisory Committee on the Environment from its meeting held on April 5, 2017:

- a) the following actions be taken with respect to the Waste Sub-Committee Report, from its meeting held on March 29, 2017:
 - i) the Civic Administration BE REQUESTED to copy the Advisory Committee on the Environment (ACE) on all reports and/or committee submissions with respect to the Waste Management Working Group, in order for the ACE to review and provide comments, where applicable; it being noted that waste management is directly identified/relevant to the mandate of the ACE; and,
 - ii) Diabetes Canada BE INVITED to a future meeting of the ACE to present their proposal on how to increase textile recycling in London;
- b) a community public education event related to "Resilient Cities" BE APPROVED; it being noted that item 17 on the approved 2017 ACE Work Plan is to host a community education event; and,
- c) clauses 1 to 7 BE RECEIVED.

Motion Passed

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

3. STAFF REPORT - Property located at 807 Colborne Street (Fire Hall No. 4)

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the proposed by-law appended to the staff report dated April 24, 2017, to designate the property located at 807 Colborne Street to be of cultural heritage value or interest BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017; it being noted that this matter has been considered by the London Advisory Committee on Heritage and public notice with respect to the designation has been completed in compliance with the requirements of the *Ontario Heritage Act*. (2017-R01)

Motion Passed

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

4. STAFF REPORT - Review of Impacts from Industrial Sources (Focus on Odour) and Potential Municipal Actions (South of Highway 401)

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official and the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the impacts from industrial sources south of Highway 401 with a focus on odour, and the potential remedial actions to be undertaken by the City of London with respect to those impacts:

- a) a public participation meeting BE HELD at the June 15, 2017 Planning and Environment Committee meeting to receive input from interested parties; and,
- b) the Managing Director, Development and Compliance Services and Chief Building Official's and the Managing Director, Environmental and Engineering Services and City Engineer's report dated April 24, 2017 entitled "Update and Next Steps – Review of Impacts from Industrial Sources (focus on odour) and Potential Municipal Actions (primarily south of Highway 401)" BE FORWARDED to the Advisory Committee on the Environment for its information;

it being noted that the Planning and Environment Committee reviewed and received a petition signed by approximately 142 individuals with respect to this matter; it being further noted that the petition is on file in the City Clerk's Office. (2017-E05)

Motion Passed

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

5. STAFF REPORT - Property located at 530 Sunningdale Road East (Powell Subdivision Phase 4) (H-8758)

That, on the recommendation of the Senior Planner, Development Services, based on the application by 2047790 Ontario Inc., relating to lands located at 530 Sunningdale Road East, as shown on the draft-approved plan of subdivision (File No. 39T-15504), Powell Subdivision Phase 4, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the lands FROM a Holding Residential R1 (h*R1-5) Zone TO a Residential R1 (R1-5) Zone to remove the holding (h) provision. (2017-D09)

Motion Passed

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

6. STAFF REPORT - Property located at 801 Sarnia Road (H-8736)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Western Prestige Village, relating to the property located at 801 Sarnia Road, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Residential R6 Special Provision (h.*h-34*h-65*R6-5 (52)) Zone and a Holding Residential R8* Bonus (h.*h-34*h-65*R8-4*B-40) Zone TO a Residential R6 Special Provision (R6-5 (52)) Zone and a Residential R8* Bonus (R8-4*B-40) Zone, to remove the "h.*h-34 and "h-65" holding provisions. (2019-D09)

Motion Passed

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

7. STAFF REPORT - Properties located at 550 and 554 Bluebell Road (P-8765)

That, on the recommendation of the Planner II, Development Services, the following actions be taken with respect to the application by RSC Holdings Ltd., to exempt lands from Part Lot Control:

- a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to exempt Lot 105 in Registered Plan 33M-463 from the Part Lot Control provisions of subsection 50(7) of the *Planning Act*, for a period not to exceed ninety (90) days; and,
- b) the applicant BE ADVISED that the cost of registration of this by-law is to be borne by the applicant, in accordance with City policy. (2017-D25)

Motion Passed

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

8. STAFF REPORT - Property located at 4166 Scotland Drive

That, on the recommendation of the Senior Planner, Development Services, based on the application of Hyde Park Equipment Ltd., relating to the property located at 4166 Scotland Drive, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Agricultural Commercial (h-18.AGC1) Zone TO an Agricultural Commercial (AGC1) Zone, to remove the "h-18" holding provision. (2017-D09)

Motion Passed

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

III. SCHEDULED ITEMS

9. PUBLIC PARTICIPATION MEETING - Property located at 10 Hawthorne Road (Z-8723)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application by IBI Group, on behalf of 2100495 Ontario Inc., relating to the property located at 10 Hawthorne Road, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Convenience Commercial (CC) Zone TO a Convenience Commercial Special Provision (CC6(_)) Zone;

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

- the recommended amendment is consistent with the 2014 Provincial Policy Statement which promotes healthy, liveable and safe communities, as well as economic development and competitiveness, by accommodating an appropriate range and mix of land uses;
- the recommended amendment is consistent with the permitted uses contemplated in the Low Density Residential designation in the Official Plan;
- the recommended amendment will facilitate the reuse of the existing commercial building and re-tenanting of vacant space by a prospective tenant, contributing to the vitality of the neighbourhood, and improving the ability of the subject property to attract new tenants in the future;

- the recommended expanded range of convenience commercial uses can function at the same neighbourhood-scale as the existing convenience commercial uses to maintain an acceptable level of compatibility with the surrounding land uses; and,
- the subject property, the existing commercial building, and surface parking area are an appropriate size to accommodate the recommended expanded range of convenience commercial uses without causing any serious adverse impacts for surrounding land uses. (2017-D09)

Motion Passed

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

10. 4th Report of the Trees and Forests Advisory Committee

That the following actions be taken with respect to the 4th Report of the Trees and Forests Advisory Committee from its meeting held on March 22, 2017:

- a) the following actions be taken with respect to the Draft Planting Strategy:
- i) the Civic Administration BE REQUESTED to provide a copy of all future documents pertaining to the implementation of the draft tree planting strategy to the Trees and Forests Advisory Committee for review and comment;
 - ii) the Chair or designate of the Trees and Forests Advisory Committee BE DIRECTED to request delegation status at the Planning and Environment Committee meeting, when the proposed draft planting strategy is presented; and,
 - iii) it BE NOTED that the Trees and Forests Advisory Committee (TFAC) supports and recommends the adoption of the strategy as presented to TFAC;

it being noted that verbal updates from A. Macpherson, Manager, Environmental and Parks Planning and S. Rowlands, Urban Forestry Planner, with respect to the Draft Planting Strategy, were received; and,

- b) clauses 1 to 5 and 7 to 11, BE RECEIVED;

it being noted that the Planning and Environment Committee reviewed and received a communication dated April 20, 2017 from R. Mannella, Chair, Trees and Forests Advisory Committee, withdrawing his delegation status at this meeting.

Motion Passed

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

11. PUBLIC PARTICIPATION MEETING - Properties located at 555-557 Ridout Street North (TZ-8673)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Ontario 2049401 Ltd, relating to the properties located at 555-557 Ridout Street North:

- a) the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017, to amend Zoning By-law Z.-1, (in conformity with the Official Plan), by extending the Temporary Use "T-68" Zone for a period not exceeding eighteen (18) months;

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 promote infrastructure efficiencies and an appropriate range and mix of land uses;
- the recommended Zoning By-law amendment is consistent with, and serves to implement the Temporary Use By-law policies of Section 19 of the City of London Official Plan;
- the recommended Zoning By-law amendment will provide for the continuation of an existing real estate agency use for a temporary period of eighteen (18) months while background studies for the future redevelopment of the lands are undertaken and the necessary planning approvals are sought; and,
- the recommended Zoning By-law amendment serves to restrict the number of vehicles that may park on the site. The recommended Zoning By-law amendment further serves to restrict front yard parking and permit parking in the interior side yard or rear yard of 557 Ridout Street North in response to local concerns;

- b) the request to amend Zoning By-law Z.-1 to extend the Temporary Use "T-68" Zone to permit the existing Real Estate Agency for an additional three (3) year period BE REFUSED for the following reasons:

- i) the applicant's timelines for the redevelopment of the site have been adjusted such that an extension of the Temporary Use "T68" Zone for an additional three years (3) is no longer considered necessary; and,
- ii) the applicant has indicated that an extension of the temporary use zone for a period of eighteen (18) to twenty-four (24) months is sufficient time to undertake the necessary background studies for the redevelopment of the lands and secure the necessary planning approvals;

it being further noted that the Planning and Environment Committee reviewed and received a communication dated April 20, 2017, from A.M. Valastro, 133 John Street, with respect to this matter;

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. (2017-D09)

Motion Passed

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

12. PUBLIC PARTICIPATION MEETING - Low-rise Residential Development in Existing Neighbourhoods (Infill Study) (Z-8701)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the Council resolution adopted at its session held in January, 2016, the following actions be taken relating to concerns regarding low density redevelopment and infill projects within mature neighbourhoods:

- a) the proposed by-law appended to the staff report dated April 24, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend the Zoning By-law Z.-1, (in conformity with the Official Plan), by amending Section 4.23 to add regulations for front and exterior side yard setback, garage width maximum, side yard setbacks and building depth for the Residential (R1, R2 and R3) Zone variations within the Primary Transit Area as shown in Schedule "A" of Appendix "A";
- b) the Streetscape Character Analysis Template shown in Appendix "C" appended to the staff report dated April 24, 2017, BE ENDORSED at the Municipal Council meeting to be held on May 2, 2017 and be used in evaluating proposals for Residential Intensification under Section 3.2.3 of the Official Plan and, when in effect, the residential intensification policies of the London Plan; and,
- c) the Civic Administration BE DIRECTED to monitor new development SUBJECT TO these new regulations for a period of one year and to report back on the outcomes and any required further changes;

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:

- a number of new residential dwellings and major residential building additions have been constructed within existing mature neighbourhoods that are incompatible with existing neighbourhood/streetscape character and do not represent good planning;
- a number of new residential dwellings and major residential building additions that have been identified as incompatible, are not considered intensification under Official Plan policy (3.2.3) or London Plan policy (938) in that they do not result in the addition of a residential unit and are not subject to the controls that would otherwise be obtained through such intensification policies to ensure development fits well within existing neighbourhoods;
- it has been demonstrated that the current regulations of the Zoning By-law applicable to low density zones are not always sufficient to ensure new residential development and major additions are compatible with the character of the neighbourhood/streetscape; and,
- for new development considered intensification and subject to Site Plan review, the content requirements and evaluation criteria for Neighbourhood Character Statement and Compatibility Reports (1989 Official Plan) and Planning and Design Reports (London Plan) are not sufficiently clear in the current report template submitted during applications. (2017-D09)

Motion Passed

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

13. PUBLIC PARTICIPATION MEETING - Public Engagement Process for the Evaluation of Community Improvement Plan Incentives

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the service review of the City's Community Improvement Plans (CIPs) and associated incentive programs:

- a) the Residential Development Charges Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to require the payment of the residential development charge at the time of building permit ("up front") by the Applicant, and provide a phased grant-back program to re-pay the residential development charge; it being noted that this program change will generate an estimated \$620,000 of operating savings per year and \$6,000,000 of one-time savings;
- b) the City-wide Industrial Development Charge Program BE AMENDED to distinguish between targeted and non-targeted industrial uses to provide a maximum development charge rebate of \$250,000 equal to 50% of the development charge for the first \$500,000 for non-targeted industrial uses;
- c) the Rehabilitation and Redevelopment Tax Grant Programs for the Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to increase the value of the grants for the retention and rehabilitation of properties designated under the *Ontario Heritage Act*;
- d) the Rehabilitation and Redevelopment Tax Grant Program, as amended in part c) above, BE PROVIDED for eligible properties located in the SoHo Community Improvement Plan Project Area; it being noted that this program was previously approved as part of the SoHo Community Improvement Plan, but not funded;
- e) the Upgrade to Building Code Loan and Grant Programs for the Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to \$200,000 capped at 50% of the completed eligible improvements;
- f) the Upgrade to Building Code Loan and Grant Programs for Downtown and the Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the "Forgivable Loan" programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;
- g) the Façade Improvement Loan and Grant Programs for Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to \$50,000 capped at 50% of the completed eligible improvements;
- h) the Façade Improvement Loan and Grant Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the "Forgivable Loan" programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;
- i) Industrial Corridor Enhancement Grant Program BE FUNDED up to \$40,000 per year for eligible properties located within the Highway 401/402 Corridor; it being noted that this program was previously approved as part of the Industrial Lands Community Improvement Plan, but not funded;

- j) the Civic Administration BE DIRECTED to amend the Downtown Community Improvement Plan to expand the Community Improvement Plan Project Area boundary to include the Richmond Row area, and that the following programs be provided in the Richmond Row area:
- i) Façade Improvement Loan Program; and,
 - ii) Building Code Loan Program;
- k) a portion of the savings generated by the Community Improvement Plan amendments described in part a) above BE IDENTIFIED to potentially fund the following new programs pending the conclusion and the Municipal Council adoption of the Hamilton Road and Lambeth Community Improvement Plans:
- i) Façade Improvement Loan Program (Hamilton Road and Lambeth); and,
 - ii) Building Code Loan Program (Hamilton Road);
- l) that \$200,000 of annual net savings generated as a result of this service review of the Community Improvement Plan program BE DIRECTED to address the budgeted savings target for the 2016-2019 multi-year budget;
- m) the Civic Administration BE DIRECTED to consider Forgivable Loan Programs for the SoHo, Hamilton Road and Lambeth Community Improvement Plan Project Areas as part of the 2024-2027 Multi-year Budget process;
- n) that Community Improvement Plans for the following Community Improvement Plan Project Areas BE AMENDED to include performance measures and indicators of success to align with current City policies and Council strategic directions:
- i) Airport Area Community Improvement Plan;
 - ii) Brownfield Community Improvement Plan;
 - iii) Downtown Area Community Improvement Plan (including the “Richmond Row” expansion area);
 - iv) Heritage Community Improvement Plan;
 - v) Industrial Community Improvement Plan;
 - vi) Old East Village Community Improvement Plan; and
 - vii) SoHo Area Community Improvement Plan;
- o) as part of the monitoring of the revised incentive programs, the Civic Administration BE DIRECTED to report back on the experience of mid-rise and/or smaller scale residential development accessing the residential development charges grant program;

it being noted that the program changes recommended above (a) through i) above) will come into effect on January 1, 2018 following the preparation of new program guidelines for these programs; and,

it being further noted that these amended programs (identified in recommendations a) through i) above) will expire no later than December 31, 2023 pending a Municipal Council review of the program results to be provided prior to the adoption of the 2024-2027 Multi-year Budget, and that the review identify interim funding for any programs recommended to be carried forward to ensure that there is not a gap in program delivery;

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

- a communication dated April 20, 2017, from S. Ford, General Partner, Dancor Construction Limited; and,
- a communication dated April 21, 2017, from J. MacDonald, CEO and General Manager, Downtown 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. (2017-D19)

Motion Passed

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

IV. ITEMS FOR DIRECTION

14. STAFF REPORT - Property located at 1156 Dundas Street - Community Improvement Plan for Brownfield Incentives

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application made under the Community Improvement Plan for Brownfield Incentives and the business case submission received from McCormick Villages Inc. ("McCormick"), relating to the property located at 1156 Dundas Street:

- a) a total expenditure of up to a maximum of \$2,500,000 in municipal brownfield financial incentives BE APPROVED and allocated under the following three programs in the Community Improvement Plan (CIP) for Brownfield Incentives:
 - i) provide a rebate equivalent to 50% of the Development Charges that are required to be paid by McCormick Villages Inc. on the project;
 - ii) provide tax increment equivalent grants on the municipal component of property taxes for up to three years post development; and,
 - iii) provide for cancellation of 25% of municipal property taxes for up to three years during the rehabilitation period and development period, as defined in the CIP;
- b) the Civic Administration BE DIRECTED to introduce a by-law at a future Municipal Council meeting after the draft Property Tax Assistance by-law has been reviewed by the Ministry of Finance, which will provide for the cancellation of 25% of matching Education taxes by the Province during the rehabilitation and development period; it being noted that this separate request is subject to evaluation and approval by the Minister of Finance;
- c) the Civic Administration BE DIRECTED to process the brownfield incentive application to provide for eligibility for tax increment equivalent grants for up to three years for the development project under the Brownfields CIP and up to the full 10 year term of the Tax Increment Grant Program of the Heritage CIP for the project;
- d) the applicant BE REQUIRED to enter into an agreement with The Corporation of the City of London outlining the relevant terms and conditions for the incentives that have been approved by the Municipal Council under the Brownfield CIP;

it being noted that the Agreement between the The Corporation of the City of London and McCormick Villages Inc. will be transferable and binding on any subsequent property owner(s);

it being further noted that the Planning and Environment Committee received verbal delegations from:

- J. Gaudet, Planner/Development Coordinator, Sierra Construction and The Villages of Sally Creek Inc. – (See attached presentation.)
- K. Barendregt, Englobe – explaining the costs for the site remediation. (2017-D19)

Motion Passed

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

Voting Record:

Motion to approve the delegation request of J. Gaudet, Planner/Development Coordinator, Sierra Construction and The Villages of Sally Creek Inc., with respect to the McCormick Villages Inc. application for the property located at 1156 Dundas Street.

Motion Passed

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

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

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the brownfield incentive application from Rygar Properties Inc. ("Rygar"), relating to the properties located at 100 Fullarton Street, 475-501 Talbot Street and 93-95 Dufferin Avenue:

- a) a total expenditure of up to \$2,735,007 in municipal brownfield financial incentives BE APPROVED and allocated under the following two programs in the Community Improvement Plan (CIP) for Brownfield Incentives:
 - i) provide a rebate equivalent to 50% of the Development Charges that are required to be paid by Rygar on the commercial component of the project; and,
 - ii) provide tax increment equivalent grants on the municipal component of property taxes for up to three years post development of each phase of the project;

it being noted that no grants will be provided until the work is completed and receipts are obtained showing the actual cost of the remediation work;

- b) the Civic Administration BE DIRECTED to process the brownfield incentive application to provide for eligibility for tax increment equivalent grants for up to three years for each phase of the development project under the Brownfields CIP and up to the full 10 year term of the Rehabilitation and Redevelopment Tax Grant Program of the Downtown CIP for each phase of the project;
- c) the applicant BE REQUIRED to enter into an agreement with The Corporation of the City of London outlining the relevant terms and conditions for the incentives that have been approved by the Municipal Council under the Brownfield CIP;

it being noted that the maximum value of brownfield incentives provided by the City of London will not exceed the total value of eligible remediation costs incurred by the property owner;

it being further noted that the agreement between The Corporation of the City of London and Rygar will be transferable and binding on any subsequent property owner(s);

it being also noted that the Planning and Environment Committee received verbal delegations from:

- R. Blackwell, Stantec Consulting – providing an overview of the contamination of the site; and, indicating that all brownfield sites are not equal and it is hard to compare two sites; advising that both Stantec and ESP worked on the Medallion sites in 2006 and the Ministry has amended the regulations significantly since then; pointing out that the Tricar site across the street from them had clean soil.
- B. Chu, EXP Services Inc. – indicating that trucking clean soil from one site to another is a common practice; however, if the site is contaminated they are required to clean it up as per the *Environmental Protection Act*, referring to the site plan that shows sixty bore holes and fourteen monitoring holes to identify and delineate the impacted and contaminated areas; noting that contamination was identified at various locations and various depths.
- J. Rodgers, Rygar Properties Inc. – hoping that this helps explain the difference between clean fill and contaminated soil; indicating that this is very important as financing a site with contamination on it and cleaning up contamination is extremely difficult. (2017-D19)

Motion Passed

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

NAYS: J. Helmer (1)

Voting Record:

Motion to approve the delegation request of John Rodgers, Rygar, with respect to the Rygar Properties Inc. application for the properties located at 100 Fullarton Street, 475-501 Talbot Street and 93-95 Dufferin Avenue.

Motion Passed

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

Motion to approve an amendment to part a) to read:

- a) a total expenditure of up to \$2,527,275 in municipal brownfield financial incentives BE APPROVED and allocated under the following two programs in the Community Improvement Plan (CIP) for Brownfield Incentives.

Motion Failed

YEAS: J. Helmer (1)

NAYS: M. Brown, T. Park, M. Cassidy, A. Hopkins (4)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VI. ADJOURNMENT

The meeting adjourned at 8:18 PM.