

17TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on September 11, 2017, commencing at 4:00 PM, in the Council Chambers, Second Floor, London City Hall.

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

ABSENT: Councillor T. Park.

ALSO PRESENT: Mayor M. Brown; Councillors J. Morgan and M. van Holst; I. Abushehada, G. Barrett, M. Corby, K. Dawtrey, L. Dent, A. Dunbar, H. El-Ayoubi, M. Elmahoon, J.M. Fleming, S. Galloway, K. Gonyou, N. Hall, P. Kokkoros, G. Kotsifas, A. Macpherson, M. Pease, L. Pompilii, M. Ribera, C. Saunders, C. Smith, M. Tomazincic, J. Yanchula and P. Yeoman.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

2. 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 August 30, 2017 BE RECEIVED.

Motion Passed

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

3. 8th Report of the Environmental and Ecological Planning Advisory Committee

That the 8th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on August 24, 2017 BE RECEIVED.

Motion Passed

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

4. STAFF REPORT - Bierens (Westfield) Subdivision - Subdivision Special Provision (39T-08502)

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Kenmore Homes (London) Inc., for the subdivision of land over Part of Lot 24, Concession 3, (Geographic Township of London), City of London, County of Middlesex, situated on the south side of Coronation Drive, north of the Canadian Pacific Railway and on the east side of Hyde Park Road, municipally known as 1331 Hyde Park Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Kenmore Homes (London) Inc., for the Beirens (Westfield) Subdivision (39T-08502) appended to the staff report dated September 11, 2017 as Schedule "A", BE APPROVED;
- b) the applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated September 11, 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: M. Brown, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (5)

5. STAFF REPORT - Property located at a portion of 1284 and 1388 Sunningdale Road West (H-8800)

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Foxhollow North Kent Developments Inc., relating to the properties located at 1284 and 1388 Sunningdale Road West:

- a) the proposed by-law appended to the staff report dated September 11, 2017 BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of a portion of the subject lands FROM a Holding Residential R1 (h*h-100*R1-3) Zone and a Holding Residential R1 (h*h-100*R1-5) Zone, TO a Holding Residential R1 (h-100*R1-3) Zone and Holding Residential R1 (h-100*R1-5) Zone to remove the h. holding provision; and,
- b) the application to change the zoning of the subject lands FROM a Holding Residential R1 (h*h-100*R1-3) Zone and a Holding Residential R1 (h*h-100*R1-5) Zone TO a Residential R1 (R1-3) Zone and a Residential R1 (R1-5) Zone BE DEFERRED until such time as a second public access and water looping is provided. (2017-D09)

Motion Passed

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

6. STAFF REPORT - Property located at a portion of 995 Fanshawe Park Road West (H-8811)

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Landea Development Inc., relating to the property located on a portion of 995 Fanshawe Park Road West, the proposed by-law appended to the staff report dated September 11, 2017, BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of a portion of the subject lands FROM a Holding Residential R1 Special Provision (h*h-100*R1-3 (8)) Zone, a Holding Residential R1 (h*h*100* R1-4) Zone, a Holding Residential R1 (h*h-100*R1-13) Zone and a Holding Residential R5 Special Provision/Residential R6 Special Provision/ Residential R7 (h*h-71*h-95*h-100*h-108*R5-3 (16)/R6-5 (28)/R7*H15*D75) Zone TO a Residential R1 Special Provision (R1-3 (8)) Zone, a Residential R1 (R1-4) Zone, a Residential R1 (R1-13) Zone and a Holding Residential R5 Special Provision/ Residential R6 Special Provision/Residential R7 (h-71*h-95*h-108*R5-3 (16)/R6-5 (28)/R7*H15*D75) Zone to remove the holding h and h-100 provisions. (2017-D09)

Motion Passed

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

7. STAFF REPORT - Property located at 1355 Commissioners Road West (Formerly 1349-1361 Commissioners Road West) (H-8782)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Village West Developments, relating to the property located at 1355 Commissioners Road West, the proposed by-law appended to the staff report dated September 11, 2017, BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the Zoning FROM a Holding Residential R8 Special Provision (h-5*R8-4(36)) Zone TO a Residential R8

Special Provision (R8-4(36)) Zone to remove the h-5 holding provision. (2017-D09)

Motion Passed

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

8. STAFF REPORT - Silverleaf Subdivision - Subdivision Special Provision (39T-14504)

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 2219008 Ontario Limited, for the subdivision of land over Part of Lot 75, West of the North Branch of the Talbot Road (Geographic Township of Westminister), City of London, County of Middlesex, situated on the south side of Pack Road, west of Colonel Talbot Road, municipally known as 3493 Colonel Talbot Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and 2219008 Ontario Limited, for the Silverleaf Subdivision, Phase 2 (39T-14504) appended to the staff report dated September 11, 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 September 11, 2017 as Schedule "B",
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated September 11, 2017 as Schedule "C"; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions. (2017-D12)

Motion Passed

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

9. STAFF REPORT - Building Division Monthly Report - June 2017

That the Building Division Monthly Report for the month of June, 2017 BE RECEIVED. (2017-A23)

Motion Passed

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

III. SCHEDULED ITEMS

10. PUBLIC PARTICIPATION MEETING - Properties located at 1175, 1185, 1195, 1205, 1215 Fanshawe Park Road West and 2151 Dalmagarry Road (Z-8776/0-8792)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 2415121 Ontario Ltd, relating to the properties located at 1175, 1185, 1195, 1205 and 1215 Fanshawe Park Road West and 2151 Dalmagarry Road:

- a) the proposed by-law appended to the staff report dated September 11, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2017 to amend the Official Plan by ADDING a policy to section 10.1.3 – Policies for Specific Areas – that would permit a Restricted Automotive Use without a car wash;

- b) the proposed by-law appended to the staff report dated September 11, 2017 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Neighbourhood Shopping Area Special Provision (NSA5(8)) Zone TO a Neighbourhood Shopping Area Special Provision (NSA5(_)) Zone;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

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

- the recommended Official Plan and Zoning By-law amendment is consistent with the Provincial Policy Statement 2014;
- the recommended Official Plan amendment to add a restricted automotive use (without a carwash) to the list of uses permitted on the subject is consistent with the policies of Chapter 10 (Policies for Specific Areas) of the City of London Official Plan, as amended; and,
- the recommended zone facilitates increased usability of the subject site by accommodating uses that are similar to, and compatible with, the existing uses in the surrounding area;
- the proposed building and on-site parking is capable of supporting the requested service station without resulting in any negative impacts to abutting uses; and,
- the recommended Official Plan and Zoning By-law amendment to expand the list of permitted uses is consistent with, and serves to implement, the use, intensity and form policies of the Shopping Area Place Type of the London Plan. (2017-D09)

Motion Passed

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

IV. ITEMS FOR DIRECTION

11. STAFF REPORT - Conservation Review Board Recommendation - Notice of Intent to Designate 4402 Colonel Talbot Road

That the Notice of Intention to designate the property located at 4402 Colonel Talbot Road BE WITHDRAWN pursuant to Section 29(14b) of the *Ontario Heritage Act*, causing a notice of withdrawal to be served on the property owner, the Ontario Heritage Trust and to be published in The Londoner;

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

- a communication dated September 6, 2017 from M. Bloxam, Architectural Conservancy Ontario - London Branch;
- a communication dated September 7, 2017 from M. Whatley, Administrative Assistant, Lambeth Health Organization; and,
- a communication dated September 7, 2017 from T. Christensen, by e-mail.

Motion Passed

YEAS: M. Brown, M. Cassidy, A. Hopkins (3)

NAYS: J. Helmer, S. Turner (2)

12. PUBLIC SUBMISSION - EMCO Corporation Building- 1108 Dundas Street
- Inventory of Heritage Resources

That the communication dated September 1, 2017, from P. Lombardi, Partner, Siskinds, with respect to the potential inclusion of the property located at 1108 Dundas Street (EMCO building) into the Inventory of Heritage Resources, BE RECEIVED. (2017-R01)

Motion Passed

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

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

13. (ADDED) DELEGATION – Benjamin Vasquez, Vice-Chair, London Advisory Committee on Heritage re 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 special meeting held on September 6, 2017:

- a) on the recommendation of the London Advisory Committee on Heritage (LACH), the Municipal Council BE REQUESTED to consider the designation of the property located at 440 Grey Street, as the property is of cultural or heritage value or interest, pursuant to Section 29 of the *Ontario Heritage Act*, based on the revised Statement of Cultural Heritage Value or Interest appended to the 10th Report of the LACH; it being noted that the subject property is located within the “SoHo” area, which has been identified as a potential Heritage Conservation District;

it being further noted that the LACH received Municipal Council resolutions from the meeting held on September 5, 2017, related to the 9th Report of the London Advisory Committee on Heritage and the Request for the Demolition of a Heritage Listed Property located at 440 Grey Street, with respect to this matter; and,

it being pointed out that K. Gonyou, Heritage Planner, was in attendance at the LACH meeting for the purpose of providing legislative guidance related to the *Ontario Heritage Act* and Regulation 906; and,

- b) clause 1 BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from B. Vasquez, Vice Chair, LACH, with respect to this matter.

Motion Passed

YEAS: J. Helmer, A. Hopkins, S. Turner (3)

NAYS: M. Cassidy (1)

14. (ADDED) 8th Report of the Advisory Committee on the Environment

That the following actions be taken with respect to the 8th Report of the Advisory Committee on the Environment from its meeting held on September 6, 2017:

- a) the comments appended to the 8th Report of the Advisory Committee on the Environment (ACE), dated August 8, 2017, from the Accessibility Advisory Committee with respect to the Draft Urban Agriculture Strategy BE FORWARDED to L. Maitland, Planner I, for consideration;

- b) the request for a representative for the Transit Project Assessment Process Municipal Advisory Group, dated August 25, 2017, from J. Ramsay, Project Director, BE DEFERRED to the next meeting of the Advisory Committee on the Environment to allow the Committee Secretary to obtain information on the expected meeting dates;
- c) the revised comments of the ACE, appended to the 8th Report of the ACE, related to the Draft Urban Agriculture Strategy BE FORWARDED to L. Maitland, Planner I, for consideration; and,
- d) clauses 1 to 6, 9 to 11, BE RECEIVED.

Motion Passed

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

VI. CONFIDENTIAL

(Confidential Appendix enclosed for Members only.)

The Planning and Environment Committee convened in camera from 4:32 PM to 4:40 PM after having passed a motion to do so, with respect to the following matter:

- C-1. A matter pertaining to legal advice that is subject to solicitor-client privilege, including communications necessary for that purpose and advice with respect to procedural matters in connection with the Conservation Review Board recommendation relating to the Notice of Intent to designate the property located at 4402 Colonel Talbot Road.

VII. ADJOURNMENT

The meeting adjourned at 5:21 PM.