

20TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on October 23, 2017, commencing at 4:01 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: Mayor M. Brown; Councillors J. Morgan and M. van Holst; I. Abushehada, M. Corby, B. Debbert, L. Dent, M. Elmadhoon, J.M. Fleming, S. Galloway, P. Kokkoros, G. Kotsifas, J. MacKay, A. Macpherson, M. Marcellin, M. Pease, L. Pompilii, A. Rammeloo, M. Ribera, A. Riley, C. Saunders, 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 Advisory Committee on the Environment

That, the following actions be taken with respect to the 9th Report of the Advisory Committee on the Environment from its meeting held on October 4, 2017:

- a) the Acting Division Manager, Stormwater Engineering BE ADVISED that the Advisory Committee on the Environment (ACE) strongly recommends that the Springbank Dam not be reinstated based on information the ACE received in the presentation with respect to the One River Master Plan Environmental Assessment Study from A. Rammeloo, Acting Division Manager, Stormwater Engineering;
- b) J. Ramsay, Project Manager, Rapid Transit, BE ADVISED that Robyn Harvey will represent the Advisory Committee on the Environment (ACE) on the Municipal Advisory Group related to Rapid Transit; it being noted that M. Bloxam will act as an alternate representative for the ACE on the Advisory Group;
- c) the proposed contribution from the Advisory Committee on the Environment (ACE) to the Resilient Cities Conference BE INCREASED from \$1000.00 to up to \$1500.00; it being noted that there are sufficient funds within the 2017 ACE budget to accommodate this; and,
- d) clauses 1, 3, 4, 6 to 9 and 11, BE RECEIVED.

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

3. 12th Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 12th Report of the London Advisory Committee on Heritage from its meeting held on October 11, 2017:

- a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the Ontario Heritage Act to erect a new building on the property located at 471-473 Elizabeth, within the Old East Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated October 11, 2017 with respect to this

matter, subject to the condition that the Heritage Alteration Permit is displayed in a location visible from the street until the work is completed and subject to consideration of the added condition that the front vent be replaced with a faux window in keeping with the streetscape; it being noted that the attached presentation from L. Dent, Heritage Planner, with respect to this matter was received;

b) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the request by the Roman Catholic Diocese of London to repeal By-law No. L.S.P.-3319-198, being a By-law to designate 1040 Waterloo Street to be of historical and architectural value, and for the passage of a new designating by-law:

- i) Notice of Municipal Council's intention to pass a by-law to Repeal By-law No. L.S.P.-3319-198, being a By-law to designate 1040 Waterloo Street to be of historical and architectural value, BE GIVEN in accordance with the requirements of Sections 32(2) of the *Ontario Heritage Act, R.S.O. 1990, c.O. 18*;
- ii) Notice of Municipal Council's intention to designate the property located at 1040 Waterloo Street to be of cultural heritage value or interest as outlined in appendix D of the staff report dated October 11, 2017 with respect to this matter BE GIVEN in accordance with the requirements of Sections 29(1) of the *Ontario Heritage Act, R.S.O. 1990, c.O. 18*; and,
- iii) Aquinas House (1071 Colborne Street) and the London Diocesan Centre (1070 Waterloo Street) BE ADDED to the Register (Inventory of Heritage Resources);

it being noted that, should no objections be received, the repeal of the existing designating by-law and passage of the new designating by-law will occur when the legal description of the new property is finalized; it being further noted that the presentations appended to the 12th Report of the LACH from J. Yanchula, Manager, Urban Regeneration and R. Zelinka and H. Garrett, Zelinka Priamo Ltd., with respect to this matter were received;

c) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the request for demolition of a heritage listed property located at 4100 Glanworth Drive:

- i) 4100 Glanworth Drive BE REMOVED from the *Inventory of Heritage Resources* (the Register); and,
- ii) the Chief Building Official BE ADVISED that the Municipal Council consents to the requested demolition of this property; and,

it being noted that the presentation appended to the 12th Report of the London Advisory Committee on Heritage from L. Dent, Heritage Planner, with respect to this matter, was received; and,

d) clauses 1, 4 to 7, 9 to 12, BE RECEIVED.

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

4. Revised Land Acquisition Terms - North Lambeth P9 Stormwater Management Facility (39T-12503)

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the land acquisition terms for the North Lambeth P9 Stormwater Management Facility:

- a) the applicant BE ADVISED that Development Finance has revised the land acquisition terms for the North Lambeth P9 Stormwater Management Facility appended to the staff report dated October 23, 2017, as Appendix 'A'; and,
- b) the financing for land acquisition associated with the North Lambeth P9 Stormwater Management Facility 39T-12503 BE APPROVED as set out in the Source of Financing Report appended to the staff report dated October 23, 2017, as Appendix 'D';

it being noted that the subdivision agreement approved on May 8, 2017 will be amended to reflect the changes identified above. (2017-L07)

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

- 5. Property located at 379 Sunningdale Road East - Appeals to the Ontario Municipal Board (39T-16504/OZ-8639)

That, on the recommendation of the Senior Planner, Development Services, in response to appeals to the Ontario Municipal Board, dated May 24, 2017 submitted by Corlon Properties (Dave Schmidt on behalf of Sunningdale Golf & Country Ltd.), on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application and a non-decision by the Municipal Council within 120 days relating to an Official Plan Amendment and Zoning By-law Amendment applications concerning a portion of lands located at 379 Sunningdale Road:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the request to amend the Official Plan from Multi-Family Medium Density Residential to Multi-Family, High Density Residential BE REFUSED as the requested change for Multi-Family, High Density designation over the entire site is unwarranted and generally not consistent with the policies within the Plan;
- b) the Ontario Municipal Board BE ADVISED that the Municipal Council supports draft approval (as red-lined amended) of the proposed plan of subdivision and the draft conditions appended to the staff report dated October 23, 2017 as Appendix "A", submitted by Sunningdale Golf & Country Ltd. (File No. 39T-16504), which shows four residential blocks (Blocks 1, 2, 3 and 4), an open space block (Block 5) and office/residential block (Block 6) with local public streets (including the extensions of Callaway Road to the west and Meadowlands Way to the north);
- c) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the proposed by-law appended to the staff report dated October 23, 2017 as Appendix "B" for the Official Plan BE AMENDED to add a Specific Area Policy(Chapter 10) to permit a maximum density of 35 units per hectare on Blocks 1,2 and 6; a maximum density of 150 units per hectare and maximum height of ten(10) stories on blocks 3 and 4; street oriented development to be encouraged to provide for a strong street edge and to eliminate the need for noise walls; a graduated "step down" of the building height for Block 3; surface parking discouraged along Sunningdale Road with street frontages to establish a strong building/street interface; and holding provisions to guide the layout and form of future development;
- d) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the proposed by-law appended to the staff report dated October 23, 2017 as Appendix "C" of Zoning By-law No. Z.-1 BE AMENDED in conformity with the Official Plan as amended in part c) above FROM an Open Space (OS1) Zone, a holding Open Space (h-4.OS1) Zone and an Urban Reserve (UR4) Zone TO:

- a Holding Residential R9 Special Provision (h.h-100.h-53.R9-7(_)) Zone to permit apartment buildings with ten (10) storeys at a maximum density of 150 units per hectare;
- a Holding Residential R5/R6 Special Provision (h.h-100.h-53.R5-3(_)/R6-5(_)) Zone to facilitate vacant land condominiums and to support medium density residential uses such as cluster single detached dwellings, semi-detached dwellings, stacked townhouses, apartment buildings and senior citizen apartment buildings at a maximum density of 35 units per hectare, and a maximum building height of 13 metres (42.6 feet);
- a Holding Office/Residential Special Provision (h.h-100.h-53.R5-3(_)/R6-5(_)/OF1) Zone to permit an office building and or medium density residential uses at a maximum density of 35 units per hectare, and a maximum building height of 13 metres (42.6 feet);
- an Open Space OS1 Special Provision (OS1()) Zone to permit a block for access to the golf course to the north with a reduced lot frontage and lot area; and,
- an Open Space (OS4) Zone for the Medway Valley lands being dedicated to the City;

it being noted that the holding provisions will address the following:

- (h) - holding provision is implemented to address servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer, and the entering of a subdivision agreement;
 - (h-100) - holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the City Engineer; and,
 - (h-53) - to encourage street oriented development and discourage noise attenuation walls along arterial roads;
- e) the City Solicitor BE DIRECTED to provide legal and planning or expert witness representation at the Ontario Municipal Board hearing in support of Municipal Council's position; and,
- f) the delegation request dated October 19, 2017, by D.R. Schmidt, Development Manager, Sunningdale, with respect to this matter BE DENIED. (2017-L01)

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

6. Property located at 420 Fanshawe Park Road East - Notice of Appeal to the Ontario Municipal Board

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board, received July 4, 2017, submitted by Lorrie Bristol, relating to the Official Plan and Zoning By-law Amendment OZ-8624 concerning 420 Fanshawe Park Road East, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it. (2017-D09)

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

7. Property located at 1635 Brayford Avenue (H-8832)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Nicola Vecchio, relating to lands located at 1635 Brayford Avenue, comprising Lot 18 Registered Plan No. 33M-714:

- a) the proposed by-law appended to the staff report dated October 23, 2017 BE INTRODUCED at the Municipal Council meeting to be held on October 30, 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-37•R1-4) Zone TO a Residential R1 (R1-4) Zone to remove the holding (h-37) provision; and,
- b) the Managing Director, Planning and City Planner, BE DIRECTED to initiate an amendment to the Zoning By-law to remove the holding (h-37) provision from the remaining lots (Lots 1-17) within Registered Plan No. 33M-714;

it being noted that the Planning and Environment Committee reviewed and received a communication dated October 17, 2017, from N. Sharma, ENG Plus, with respect to this matter. (2017-D09)

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

- 8. Property located at a portion of 2350 Dundas Street (H-8823)

That, on the recommendation of the Senior Planner, Development Services, based on the application of 2298342 Ontario Inc., relating to the property located on a portion of 2350 Dundas Street, the proposed by-law appended to the staff report dated October 23, 2017 BE INTRODUCED at the Municipal Council meeting to be held on October 30, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Highway Service Commercial/Restricted Service Commercial (h-11*HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone TO a Highway Service Commercial/Restricted Service Commercial (HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone to remove the "h-11" holding provision. (2019-D09)

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

- 9. STAFF REPORT - Building Division Monthly Report for August 2017

That the Building Division Monthly Report for the month of August, 2017 BE RECEIVED.

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

III. SCHEDULED ITEMS

- 10. PUBLIC PARTICIPATION MEETING - Property located at 4100 Glanworth Drive - Request for Demolition

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 4100 Glanworth Drive, the following actions be taken:

- a) 4100 Glanworth Drive BE REMOVED from the Inventory of Heritage Resources (the Register); and,
- b) the Chief Building Official BE ADVISED that Municipal Council consents to the requested demolition on this property;

it being pointed out that at the public participation meeting associated with this matter, the individual indicated on the attached public participation meeting record made an oral submission regarding these matters. (2017-R01)

Motion Passed

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

NAYS: A. Hopkins, S. Turner (2)

Voting Record:

Motion to open the public participation meeting.

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

Motion to close the public participation meeting.

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

11. PUBLIC PARTICIPATION MEETING - Properties located at 200 Albert Street, 192 to 196 Central Avenue and 193 to 197 Central Avenue (TZ-8802)

That, the application of Farhi Holdings, relating to the properties located at 200 Albert Street, 192 to 196 Central Avenue and 193 to 197 Central Avenue, BE REFERRED back to the Managing Director, Planning and City Planner, to work with the applicant to determine which two of the above-noted properties would be best suited to extend the Temporary Use (T-70) Zone for a period not exceeding three (3) years;

it being noted that the Planning and Environment Committee reviewed and received a communication dated October 15, 2017, from M. Bloxam, President, London Region Branch, Architectural Conservancy Ontario, with respect to this matter;

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

it being further noted that the Municipal Council did not approve this application for the following reasons:

- temporary parking lots are meant to be temporary and not be in place for twenty-five years;
- there are two factors that are not ready to go yet, the Parking Strategy and Rapid Transit and both of those would inform whether these renewals are appropriate or not; and,
- the Parking Strategy will identify the number of parking spots required, how are we going to accommodate them, do we accommodate those within new buildings. (2017-D09)

Motion Passed

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

NAYS: T. Park, J. Helmer (2)

Voting Record:

Motion to open the public participation meeting.

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

Motion to close the public participation meeting.

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

Motion to refer the recommendation back to the Managing Director, Planning and City Planner, to approve two of the properties for a temporary zoning for up to three years.

Motion Passed

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

NAYS: T. Park, J. Helmer (2)

12. PUBLIC PARTICIPATION MEETING – Properties located at 661 and 667 Talbot Street (Z-8659)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Drewlo Holdings Inc., relating to the properties located at 661 and 667 Talbot Street:

- a) the proposed by-law appended to the Planning and Environment Committee Added Agenda dated October 23, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 30, 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 Residential R3/Residential R10/Office Conversion (R3-1/R10-3*H30/OC4) Zone TO a Residential R3/Residential R10 Bonus (R3-1/R10-3*H30*B(_)) Zone and an Open Space (OS4) Zone;

it being noted that the Bonus Zone shall be implemented through a development agreement to facilitate the development of a high quality, multi-storey residential apartment building, with an increased building height of up to sixteen (16) storeys (49.5m) and a maximum of 236 dwelling units (403 units per hectare), which substantively implements the Site Plan, Elevations, and Renderings attached as Schedule "1" to the amending by-law in return for the provision of the following services, facilities and matters:

- i) Exceptional Building Design

specifically the building design shown in the various illustrations contained in Schedule "1" of the amending by-law, is being bonused for features which serve to support the City's objectives of promoting a high standard of design for buildings;

- ii) Overall Design

a contemporary architectural design that uses a coordinated palette of high quality materials to be further refined through the site plan approval process, including the use of brick along the Talbot Street frontage of the building for the first 3-storeys to ensure the building is in keeping with the character of the area;

- iii) Podium Base Design

- A) a podium base up to 3-storeys in height to provide a pedestrian-friendly scale at ground-level and a continuous street-wall façade along the easterly (Talbot Street) façade;
- B) a stepback after the first 3-storeys along Talbot Street providing a pedestrian scale that is in keeping with the character of the buildings to the south and east.

iv) Tower Design

a building design that breaks up the massing of the building by providing multiple height variations and architectural details to respond to the surrounding community; and,

v) Parking Strategy

the provision of two levels of underground parking;

- b) the Site Plan Approval Authority BE REQUESTED to consider the implementation of the facilities, services and matters described in clause a) above through the site plan approval process, as well as ensuring that the proposal provides for an adequate amenity area that is appropriately shaped, configured and located to provide respite for the occupants;
- c) the proposed by-law appended to the staff report dated October 23, 2017 as Appendix "B" BE INTRODUCED at a future Council meeting, to amend The London Plan by ADDING new policies to the Neighbourhoods Place Type and ADDING the subject lands to Map 7 – Specific Policy Areas – of The London Plan and that three readings of the by-law enacting The London Plan amendments BE WITHHELD until such time as The London Plan is in force and effect; and,
- d) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the regulation for building height:
- i) is minor in nature, and;
 - ii) continues to implement a building design that is consistent with the development design circulated with the Notices of Application and Public Meeting;

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

- a communication dated October 20, 2017 from AM. Valastro, 1-133 John Street; including a petition signed by approximately 268 individuals;
- a communication dated August 29, 2016 from R. Heacock, 169 John Street; and,
- a communication dated August 29, 2016 from T. and H Chapman, 152 Albert Street;

it being pointed out that at the public participation meeting associated with this matter, 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 amendment is consistent with the Provincial Policy Statement 2014;
- the recommended amendment is consistent with the City of London Official Plan policies;
- the recommended amendment facilitates the redevelopment of an underutilized site and encourages an appropriate form of development;
- the bonusing of the subject site ensures the building form and design will fit within the surrounding area and provide for an enhanced design standard; and,
- the proposed use is contemplated through the London Plan with a minor variation in height being required. (2017-D09)

Motion Passed

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

NAYS: T. Park, A. Hopkins (2)

Voting Record:

Motion to open the public participation meeting.

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

Motion to close the public participation meeting.

Motion Passed

YEAS: M. Brown, T. Park, M. Cassidy, J. Helmer, A. Hopkins, S. Turner (6)

IV. ITEMS FOR DIRECTION

None.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VI. ADJOURNMENT

The meeting adjourned at 6:47 PM.