

13TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on May 28, 2013, commencing at 4:01 PM, in the Council Chambers, Second Floor, London City Hall.

PRESENT: Councillor B. Polhill (Chair), Councillors D.G. Henderson, P. Hubert and S. White and H. Lysynski (Secretary).

ABSENT: Councillor N. Branscombe.

ALSO PRESENT: Mayor J.F. Fontana, Councillor J.L. Baechler, G. Barrett, L. Claro, B. Debbert, M. Elmadhoon, J.M. Fleming, B. Henry, T. Karidas, P. Kokkoros, G. Kotsifas, B. Krichker, I. Listar, A. Macpherson, A. MacLean, D. Menard, J. Page, J. Ramsay, C. Saunders, R. Sharpe, A.B. Watson, J. Yanchula and P. Yeoman.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

2. 4th Report of the Trees and Forests Advisory Committee

Recommendation: That the following actions be taken with respect to the 4th Report of the Trees and Forests Advisory Committee from its meeting held on April 24, 2013:

- a) the Managers of Parks Operations, Parks Planning and Design and Risk Management BE REQUESTED to review the City's safety standards for the possible inclusion of adult activity equipment in parks, trails and recreation areas; it being noted that the Trees and Forests Advisory Committee received a product catalogue and presentation from B. Bekkers, Landmark by Crozier, with respect to this matter; and,
- b) clauses 2 to 8, inclusive, BE RECEIVED.

3. 5th Report of the Advisory Committee on the Environment

Recommendation: That the 5th Report of the Advisory Committee on the Environment from its meeting held on May 1, 2013 BE RECEIVED.

4. City of London Urban Design Awards Policy

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the proposed by-law, as appended to the staff report dated May 28, 2013, BE INTRODUCED at the Municipal Council meeting to be held on June 11, 2013, to amend Council Policies 19(35) and 19(35A), relating to the City of London Urban Design Awards, to ensure that the program aligns with the Royal Architecture Institute of Canada's (RAIC) National Urban Design Awards program. (2013-C01)

5. Technical Amendment to the Telecommunication Facilities Consultation Policy (O-7881)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the proposed by-law, as appended to the staff report dated May 28, 2013, BE INTRODUCED at the Municipal Council meeting to be held on June 11, 2013, to amend the Telecommunication Facilities Consultation Policy to provide an exemption for amateur radio antenna support structures. (2013-C01)

6. Emerald Ash Borer Program Status Report

Recommendation: That the following actions be taken with respect to an update on the Emerald Ash Borer Program:

- a) the Civic Administration BE REQUESTED to identify tree planting capacities and to report back to a future meeting of the appropriate Standing Committee;
- b) the Civic Administration BE REQUESTED to submit an updated business plan with respect to this matter as part of the 2014 Budget process; it being noted that the business plan should provide information pertaining to the necessity for replanting trees; and,
- c) the Civic Administration BE REQUESTED to report back on the possible establishment of a program where the Development Industry may be required to plant two trees for every tree it removes and/or establish a cash-in-lieu fund. (2013-E04)

7. Property located at 4448 Colonel Talbot Road (H-8085)

Recommendation: That, on the recommendation of the Manager, Development Services and Planning Liaison, based on the application of SJMA Architecture Inc., relating to the property located at 4448 Colonel Talbot Road, the proposed by-law, as appended to the staff report dated May 28, 2013, BE INTRODUCED at the Municipal Council meeting to be held on June 11, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 4448 Colonel Talbot Road FROM a Holding Arterial Commercial Special Provision (h-5•h-17•h-18•h-42•AC2(6)) Zone TO a Holding Arterial Commercial Special Provision (h-17•AC2(6)) Zone to remove the holding “h-5”, “h-18” and “h-42” provisions. (2013-D14B)

8. Subdivision Assignment Agreement - 160 Sunningdale Road West Ltd. - Tricar Subdivision (Phase 2) (39T-11504)

Recommendation: That, on the recommendation of the Manager, Development Planning, Development Services, the following actions be taken with respect to entering into a subdivision assignment agreement between The Corporation of the City of London and Norquay Sunningdale Land Corp., for the subdivisions of land over Part of Lot 41, Registrar's Compiled Plan 1029, (Geographic Township of London), City of London, County of Middlesex, situated on the south side of Sunningdale Road West, on the west side of Richmond Street and Meadowlands Way:

- a) the Assignment Agreement for the Tricar Subdivision (Phase 2) (39T-11504), as appended to the staff report dated May 28, 2013, between The Corporation of the City of London and Norquay Sunningdale Land Corp. BE APPROVED;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute the Agreement referred to in part a), above, any amending agreements and all documents required to fulfill its conditions; and,
- c) the execution of this Assignment Agreement by the City BE DELAYED until such time that the owner has provided the City with a copy of the Transfer document as proof of the purchase and sale. (2013-L04)

9. Special Provisions - 160 Sunningdale Road West Ltd. - Tricar Subdivision (Phase 2) (39T-11504)

Recommendation: That, on the recommendation of the Manager, Development Planning, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and 160 Sunningdale Road West Ltd., for the subdivisions of land over Part of Lot 41, Registrar's Compiled Plan 1029, (Geographic Township of London), City of London, County of Middlesex, situated on the south side of Sunningdale Road West, on the west side of Richmond Street and Meadowlands Way:

- a) the Special Provisions, as appended to the staff report dated May 28, 2013, to be contained in a Subdivision Agreement between The Corporation of the City of London and 160 Sunningdale Road West Ltd. for the Tricar Subdivision, (Phase 2) (39T-11504) BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" provided as Schedule "B" to the associated staff report, dated May 28, 2013;
- c) the Mayor and the City Clerk BE AUTHORIZED to execute the Agreement referred to in part a), above, any amending agreements and all documents required to fulfill its conditions; and,
- d) the Municipal Council BE ADVISED that the applicant has entered into a purchase and sale agreement with Norquay Sunningdale Land Corp.; it being noted that an assignment agreement is being presented to the Planning and Environment Committee meeting to be held on May 28, 2013, in a separate report. (2013-L04)

10. Subdivision Agreement - Old Victoria No. 2 SWM facility - Sifton Properties Limited (39T-09502)

Recommendation: That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Sifton Properties Limited, for the subdivisions of land over Part of Lots 8 and 9 Broken Front Concession "B" and part of the Road Allowance between Concession 1 and Broken Front Concession "B", (Geographic Township of Westminster), City of London, County of Middlesex, municipally referred to as 1603 Hamilton Road:

- a) the Subdivision Agreement, as appended to the staff report dated May 28, 2013, between The Corporation of the City of London and Sifton Properties Limited (39T-09502), BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Sources of Financing" provided as Appendix "A" as appended to the staff report dated May 28, 2013;
- c) the Mayor and the City Clerk BE AUTHORIZED to execute the Agreement referred to in part a), above, any amending agreements and all documents required to fulfill its conditions; and,
- d) the Municipal Council BE ADVISED that the following anticipated reimbursements from the Capital Works Budget have been negotiated:
 - i) for lands dedicated to the City for the construction of Old Victoria No. 2 SWM Facility, (being Block 153 of the Draft Approved Plan 39T-09502), the estimated cost of which is \$252,254.38, (1.007 ha) at \$247,100/hectare (\$100,000/acre) and 0.252 ha at \$13,590/hectare (\$5,500/acre), plus applicable taxes. (2013-L04)

11. Special Provisions - Highland Green London Inc. - Highland Green Subdivision - 181-199 Commissioners Road East (39T-08501)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Highland Green London Inc., for the subdivisions of land over Part of Lot 28, Concession 1, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the south side of Commissioners Road East between Carnegie Lane and Upper Queens, municipally known as 181-199 Commissioners Road East:

- a) the Special Provisions, as appended to the staff report dated May 28, 2013 as Schedule "C", to be contained in a Subdivision Agreement between The Corporation of the City of London and Highland Green London Inc. for the Highland Green Subdivision; (39T-08501) BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" provided as Schedule "B" to the associated staff report, dated May 28, 2013; and,
- c) the Mayor and the City Clerk BE AUTHORIZED to execute the Agreement referred to in part a), above, any amending agreements and all documents required to fulfill its conditions. (2013-L04)

12. Property located at 3557 Colonel Talbot Road - North Lambeth Subdivision - Extension to Draft Plan of Subdivision Approval (39T-00510)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the Approval Authority BE ADVISED that the Municipal Council supports a six (6) month extension of draft approval for draft approved plan 39T-00510, submitted by Oliver and Associates Realty Inc., relating to the property located at 3557 Colonel Talbot Road, SUBJECT TO the previously imposed conditions. (2013-D12)

13. Riverbend South Secondary Plan

Recommendation: That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to a request by Sifton Properties Limited to proceed with the preparation of the River Bend South Secondary Plan:

- a) the previously established Terms of Reference BE UPDATED and presented at a public participation meeting of the Planning and Environment Committee in July, 2013;
- b) upon adoption of the Terms of Reference, noted in part a), above, by the Municipal Council, Sifton Properties Limited BE REQUESTED to update the required background studies and complete the Secondary Plan process, with input from the City of London, in accordance with the approved Terms of Reference;
- c) final approval for the Secondary Plan BE WITHHELD until such time as the Part II Order issues, relating to the Tributary 'C' Municipal Class EA, have been resolved;
- d) subdivision concept plans BE CIRCULATED as part of the Secondary Plan process; and,
- e) subdivision applications NOT BE ACCEPTED within the River Bend South area as they are considered incomplete until such time as the Part II Order issues, relating to the Tributary 'C' Municipal Class EA, have been resolved. (2013-D08)

14. Wood Hull Subdivision (39T-03511)

Recommendation: That, on the recommendation of the Manager, Development Planning, Development Services, the staff report, dated May 28, 2013, relating to the purchase, by Farhi Holdings Corporation (FHC), on December 12, 2012, of the remaining lands of Draft Approved Plan 39T-03511, (Woodhull subdivision), from 777552 Ontario Limited (Phyllis Matthews) BE RECEIVED; it being noted that FHC plans to assume the development as approved. (2013-D12)

III. SCHEDULED ITEMS

15. Property located at 1030 Elias Street (Z-8154)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of John Kudelka, relating to the property located at 1030 Elias Street:

- a) the attached, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 11, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Light Industrial Special Provision (LI1(4)) Zone, which permits manufacturing, warehouse and business service establishments, as well as the occasional use of space within an existing industrial building, as a private club for pigeon racing enthusiasts and a Light Industrial (LI1/LI7) Zone, which permits bakeries, business services establishments, laboratories, manufacturing and assembly industries, support offices, paper and allied products, pharmaceutical and medical product industries, printing, reproduction and data processing industries, research and development establishments, warehouse establishments, wholesale establishments, custom workshops, brewing on premises establishments, service and trades, automobile body shops, automobile repair garages, building or contracting establishments, repair and rental establishments, service and repair establishments, service trades, and truck sales and services establishments, TO a Light Industrial Special Provision (LI1(__)/LI7) Zone, to permit a commercial recreation establishment (indoor rock climbing) in addition to the above permitted industrial uses, and to reduce the required parking ratio related to the commercial recreation establishment; and,
- b) 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 proposed amendments are minor in nature;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- John Kudelka, applicant – expressing appreciation to the staff for their effort with this application; expressing concern with section 2 b) i) of the by-law under “Regulation – Landscaped Open Space” by indicating that the existing landscaping may not align with the 7% required; noting that the percentage of landscaping may be closer to 5%; expressing concern with section 2 b) ii) of the by-law under “Regulation – Parking for Commercial Recreation Establishment (Minimum)” by indicating that, in consultation with the Planner, a ratio of one space per 30 square metres has been established; noting that this property currently has 43 parking spaces; and requesting the wording be changed to “not less than the current 43 parking spaces on the property”. (2013-D14A)

16. Properties located at 1930 and 1950 Hyde Park Road (Z-8155)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Briar de Lange, relating to the properties located at 1930 and 1950 Hyde Park Road, the proposed by-law, as appended to the staff report dated May 28, 2013, BE INTRODUCED at the Municipal Council meeting to be held on June 11, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Restricted Service Commercial (RSC1/RSC4/RSC5) Zone, which permits animal clinics, kennels, automotive sales and service establishments, auto supply stores, catalogue stores, duplicating shops, home improvement and furnishing stores, repair and rental establishments, service and repair establishments, studios, taxi establishments, bake shops, day care centres, financial institutions, florist shops, personal service establishments, restaurants, video rental establishments, brewing on premises establishments, auction establishments, building or contracting establishments, building supply outlets, bulk sales establishments, dry cleaning

and laundry plants, manufacturing and assembly industries with related sales, garden stores, printing establishments, service trades, support offices, warehouse and wholesale establishments, commercial schools, truck sales and industrial malls TO an Associated Shopping Area (ASA1/ASA2/ASA3) Zone, to permit animal hospitals, convenience service establishments, convenience stores, dry cleaning and laundry plants, duplicating shops, financial institutions, grocery stores, restaurants, retail stores, personal service establishments, pharmacies, printing establishments, video rental establishments, brewing on premises, repair and rental establishments, service and repair establishments, studios, supermarkets, clinics, day care centres, laboratories, and medical/dental, professional and service offices;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

17. Properties located at 3 Front Street and 5 Front Street

Recommendation: That, on the recommendation of the Manager, Development Planning, Development Services, the following actions be taken with respect to the site plan approval application of Sorin Marinescu, relating to the properties located at 3 Front Street and 5 Front Street:

- a) the Approval Authority BE ADVISED that, at the public meeting of the Planning and Environment Committee held with respect to this matter, no issues were raised;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the granting of these Site Plan applications for two duplex dwellings; and,
- c) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" provided as Schedule "A" to the associated staff report, dated May 28, 2013;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Sorin Marinescu, applicant – indicating that, on December 6, 2009, a flood was caused by a main artery pressurizing and breaking overnight; noting that it flooded the entire area; indicating that, at the moment, the development space is dead water storage space, which is why the Upper Thames River Conservation Authority agreed to the development; indicating that there is no danger of the river flooding; advising that the perimeter of the house will be above the 100 year flood line; noting that all of the openings will be above the 250 year flood line so everything should be safe. (2013-D11)

18. Property located at 1206 Oxford Street East

Recommendation: That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application for surface parking at an existing automobile sales and service establishment, by Zelinka Priamo Limited, relating to the property located at 1206 Oxford Street East:

- a) the Approval Authority BE ADVISED that, at the public meeting of the Planning and Environment Committee held with respect to this matter, no issues were raised; and,
- b) the Approval Authority BE ADVISED that the Municipal Council supports the granting of the Site Plan application for the commercial development;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D11)

19. Property located at 1464 Adelaide Street North (Z-8144)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Fattema El shakaki, relating to the property located at 1464 Adelaide Street North:

- a) the attached, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 11, 2013 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to amend the Convenience Commercial Special Provision (CC6(1)) Zone, which permits convenience service establishments, convenience business service establishments, convenience stores, day care centres, financial institutions, food stores, offices, personal service establishments, studios, and take-out restaurants, without drive-through facilities, dwelling units together with any other permitted uses, brewing on premises establishments, and medical/dental offices, and prohibits outdoor patios, by stating that for the purposes of the Convenience Commercial Special Provision (CC6(1)) Zone, a studio shall be considered to include a fitness centre, and restricting fitness centres to a maximum gross floor area of 100 square metres; and,
- b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Convenience Commercial Special Provision (CC6(1)) Zone TO a new Convenience Commercial Special Provision (CC6(__)) Zone, to permit commercial recreation establishments, BE REFUSED for the following reasons:
 - i) it is more appropriate to modify the existing special provision as the prohibition on outdoor patios continues to be appropriate for the site;
 - ii) the more limited use of a fitness centre is more appropriate than the full range of uses permitted by the commercial recreation establishment definition; and,
 - iii) a maximum limit on the Gross Floor Area (GFA) for the fitness centre use is necessary in order to ensure the fitness centre operates at a community oriented scale;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

20. Western Counties Health and Occupational Centre Grounds: Cultural Heritage Landscape - Official Plan Amendment (O-8170)

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the Cultural Heritage Landscape Official Plan Amendment for the Western Counties Health and Occupational Centre:

- a) the proposed by-law, as appended to the staff report dated May 28, 2013, BE INTRODUCED at the Municipal Council meeting to be held on June 11, 2013, to amend Section 13.5.5 of the Official Plan to add the Western Counties Health and Occupational Centre Grounds as a Listed Cultural Heritage Landscape and to adopt the Western Counties Health and Occupational Centre Cultural Heritage Plan (Appendix "B") as a Guideline document pursuant to Section 19.2.2 of the Official Plan by amending Section 19.2.2. ii) to add it to the list of Guidelines;
- b) the staff report, dated May 28, 2013, with respect to the Cultural Heritage Landscape Official Plan Amendment for the Western Counties Health and Occupational Centre, BE RECEIVED; it being noted that specific matters addressed in the staff report include:
 - i) a comprehensive history of the site;
 - ii) an assessment of the site's cultural heritage value;
 - iii) a review of Municipal and Provincial Land Use Policy pertaining to heritage designation, and;

- iv) a recommended, phased implementation plan for the site's conservation, rehabilitation and public use;
- c) the Civic Administration BE DIRECTED to negotiate amendments to the existing Three Party Joint Use and Maintenance Agreement, dated August 23 2004, between The Corporation of the City of London, London Health Sciences Centre and St. Joseph's Health Care, London, to reflect the existing site conditions and future use of the Western Counties Occupational Centre grounds relative to the revised infrastructure needs;
- d) the Civic Administration BE DIRECTED to determine an appropriate commemoration for former Heritage Planner Chris Nelson for her accomplishments relating to cultural heritage; and,
- e) the attached communication, dated May 27, 2013, from S. Levin, Chair, Conservation Committee, Nature London, BE RECEIVED;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-R01)

21. Properties located at 404-408 Pall Mall Street and 660 Colborne Street (Z-8152)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Gus Aggelopoulos, relating to the property located at 404-408 Pall Mall Street & 660 Colborne Street:

- a) the attached, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 11, 2013, 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 R8/Convenience Commercial (R8-1/CC) Zone, which permits such uses as apartment buildings, stacked townhouses, emergency care establishments and continuum-of-care facilities at a maximum height of 13.0 metres and a maximum density of 40 units per hectare, and convenience service establishments, convenience stores, financial institutions and personal service establishments without drive-through facilities, TO a Residential R8/Convenience Commercial Special Provision (R8-1/CC(_)) Zone, to permit in addition to the above-noted uses, a restaurant, without a drive-through facility, to a maximum gross floor area of 75 square metres within the existing building, and to require a minimum of five on-site parking spaces for all uses within the existing building;
- b) the Civic Administration BE REQUESTED to undertake the following actions with respect to boulevard parking:
 - i) review the Owner's compliance in all respects with the Agreement between the City and Owner under Section 11 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended (The Boulevard Parking Agreement);
 - ii) if necessary, require the Owner to comply with the Agreement, in all respects, or alternatively, enter into a revised Boulevard Parking Agreement to the satisfaction of the City Engineer; it being noted that the revised Agreement would need to include appropriate landscaping; and,
 - iii) report back to the Planning and Environment Committee; and,
- c) 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:
 - i) the restriction of the recommended use to within the existing building was the basis on which notice of application and notice of public meeting were given; and,
 - ii) the requirement for a minimum of five on-site parking spaces recognizes an existing site condition, and was discussed at the public meeting held on May 28, 2013;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- Matt Falls, 421 Pall Mall Street – indicating that he submitted a communication to the Planning Department which is included in the staff report; indicating that the communications provided by area residents include two enquiries for clarification, three letters of support and eight expressing opposition; noting that the letters of opposition include the local area neighbourhood association, Piccadilly Area Neighbourhood Association; enquiring about parking and the movement of equipment or traffic around the site; enquiring about the type of garbage storage container to be used and who would be responsible for garbage service; expressing concern with people throwing paper cups on their lawns; indicating that this is a further degrading of the area residents premises; respecting that the applicants have tried to work with the neighbourhood; noting that it does not make this any better for the area residents; requesting the larger area of the neighbourhood that is in objection to this be taken into consideration; indicating that this is the first time he has heard of the installation of a patio; and inquiring as to whether or not the recommendation of the Planning and Environment Committee will remain the same if a patio is added to the application.
- Mr. Wright, owner – advising that they live in the greater neighbourhood; noting that they live north of Oxford Street, near the University; indicating that he is also a lawyer at Siskinds, which is right across the street from the subject property; indicating that their children attend school half a block from the subject property; noting that they are very much in the neighbourhood and interested in the neighbourhood; advising that this is something that they have enjoyed in their travels and do not see a lot of in Ontario; and indicating that the espresso bar will be an improvement.
- Charmaine Specter, 408 Pall Mall Street – expressing support for the application; enquiring about the amount of parking available; indicating that there is not much room for vehicles to maneuver around the building; noting that the building has been damaged on both corners; suggesting that perhaps parking spaces 5 and 6, as shown on the map presented during the Planning and Environment Committee meeting, can be changed to be adaptive so that it is easier for a car to go around the building; enquiring as to whether or not the owners are planning to have a patio in the front of the building; advising that the tin building at the back is garbage storage for the tenants; noting that there are approximately 5 spaces for garbage bins, with room for blue boxes; indicating that the current façade is not pleasing to the environment; indicating that the variety store is closed more often than it is open; hoping that the espresso bar is not open until 1:00 AM; and indicating that she believes that this proposal will enhance the neighbourhood.
- George Namo, Owner, Helen's Variety – advising that he presently serves coffee, but is unable to accommodate everything the applicant is asking for; and, enquiring as to the reason for the zoning amendment.
- Bert Killian, 428 Pall Mall Street – advising that this is a very congested intersection; indicating that, approximately 5 or 6 years ago, the residents had the stop sign installed to allow the children to cross the intersection safely; indicating that the amount of traffic in this area has been undersold; indicating that you can walk up the street to the variety store at Maitland Street and Pall Mall Street; advising that there is congestion now, with the railway crossing and the bus stop right there; advising that he spent several years in the safety business and this is a safety issue; and recommending that this application be reviewed for safety.
- Ben Billings, Insites Consulting, on behalf of the applicant – advising that the essential approach to this application is not to make many changes to the site; indicating that the site functions for the convenience store that exists there now; advising that the premise that they are operating on is that the espresso bar will not introduce any increased impact to the site; indicating that the garbage facility that is there now is anticipated to be more than sufficient for any refuse that is generated from the espresso bar; advising that they will comply with the Engineering Department regulations relating to the minimum five parking spaces that currently exist; advising that they are working with what they have; noting that

refuse is a concern; further noting that they will ensure that refuse is properly stored; anticipating normal city service for garbage collection; indicating that they will supply receptacles for litter; indicating that they are trying to improve the neighbourhood; advising that a majority of the clientele for the espresso bar would be walk-in traffic from the area; noting that it is going to be a local establishment run by a local family that is quite excited about this opportunity; indicating that they will continue to work with the neighbours to ensure that the minor details outlined at the public participation meeting are looked after; advising that they will work with the City with respect to the existing boulevard parking agreement, and any amendments required, to ensure that it properly reflects what is going on with the site today and what is proposed for the future; advising that they would like to install a patio during summer months; noting that they need to discuss this idea with City staff; indicating that they are requesting the zoning amendment to allow them to install an espresso bar; and advising that they do not believe that their application will exacerbate any safety issues that exist today. (2013-D14A)

IV. ITEMS FOR DIRECTION

22. Downtown Heritage Conservation District Plan - Ontario Heritage Act Appeal (O-8024)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the Ontario Municipal Board BE ADVISED that Municipal Council consents to an amendment of Section 2.2, Heritage Character Statement, in the Downtown Heritage Conservation District Plan, by adding the following words, as underlined:

Industrial and wholesale structures developed in response to the road and rail systems running through the Downtown. Concentrated around York and Richmond, a prime example is the terra cotta McMahan-Granger building. The commercial, industrial and administrative functions of the Downtown brought a concentration of financial services to the area. As one of the largest concentrations of similar-use buildings today, they too reflect the prolonged periods of development. Jeffery's London Life, Cronyn's Huron and Erie/Canada Trust, and Ivey's Northern Life all left buildings representative of their respective rise to national significance. In fact, London Life continues to have a significant presence in the Downtown. The Plan anticipates that London Life will maintain this significant presence in the Downtown, and that the current streetscape elevations along Dufferin Avenue, Wellington Street and Queens Avenue will be conserved as the site continues to develop over time. In most cases the financial service sector drew their investment funds from the Downtown's industries and wholesalers including J. W. Little's dry goods empire, the Hobbs glass works and the Joseph Smith Southern Cigar Factory, all of which built significant structures in the Downtown. (2013-R01)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. ADJOURNMENT

The meeting adjourned at 6:06 PM