

1ST REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on December 4, 2017, commencing at 3:30 PM, in the Council Chambers, Second Floor, London City Hall.

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

ALSO PRESENT: Mayor M. Brown; Councillors J. Morgan, M. van Holst and J. Zaifman; M. Hayward, J. Adema, G. Bailey, A.L. Barbon, G. Barrett, M. Campbell, M. Corby, B. Debbert, A. Drost, A. Dunbar, M. Elmadhoon, J.M. Fleming, S. Galloway, K. Gonyou, N. Hall, M. Knieriem, P. Kokkoros, G. Kotsifas, T. Macbeth, A. Macpherson, D. MacRae, L. Maitland, H. McNeely, B. Page, N. Pasato, M. Pease, L. Pompilii, D. Popadic, M. Ribera, V. Santos, C. Saunders, K. Scherr, E. Soldo, S. Wise, M. Tomazincic, J. Yanchula and P. Yeoman.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that the following pecuniary interests were disclosed:

- a) Councillor S. Turner disclosed a pecuniary interest in clause 11 of this Report having to do with planning for non-therapeutic Cannabis in retail stores, by indicating that his employer, the Middlesex-London Health Unit, provided comments.
- b) Councillor T. Park disclosed a pecuniary interest in clause 15 of this Report having to do with the property located at 391 South Street (Colborne Building), by indicating that her family owns property in the area of the subject property.

II. ORGANIZATIONAL MATTERS

2. Election of Vice-Chair for term ending November 30, 2018

That Councillor A. Hopkins BE ELECTED Vice Chair of the Planning and Environment Committee for the term ending November 30, 2018.

Motion Passed

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

III. CONSENT ITEMS

3. 12th Report of the Trees and Forests Advisory Committee

That the following actions be taken with respect to the 12th Report of the Trees and Forests Advisory Committee from its meetings held on November 22, 2017:

- a) the following actions be taken with respect to the site plan approval process and tree planting and landscape plans:
 - i) E. Conway, Landscape Planner, BE REQUESTED to report back at the January meeting of the Trees and Forests Advisory Committee (TFAC) with respect to the site plan approval process for tree planting and landscape plans; and,
 - ii) J. Spence, Manager, Urban Forestry, BE REQUESTED to report back at a future meeting of the TFAC with a verbal update on the 2018 recommendations to the Design Guidelines, as they relate to tree planting;

it being noted that the TFAC received a handout from A. Van Damme, London Hydro, from the report "London Hydro's Review of Vegetation Management", with respect to this matter; and,

- b) clauses 1 to 8, BE RECEIVED.

Motion Passed

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

- 4. White Oak/Dingman Secondary Plan - Terms of Reference for Project Initiation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Secondary Plan for the White Oak/Dingman area:

- a) the staff report dated December 4, 2017, entitled "White Oak/Dingman Secondary Plan - Terms of Reference for Project Initiation" BE RECEIVED; and,
- b) the White Oak/Dingman Secondary Plan Terms of Reference appended to the above-noted report as Appendix "A" BE CIRCULATED to stakeholders, agencies and the public for the purposes of initiating the Secondary Plan for the White Oak/Dingman area, noting that draft Official Plan policies will be brought forward for consideration at a future meeting of the Planning and Environment Committee, following consultations with stakeholders, agencies and the public. (2017-D09)

Motion Passed

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

- 5. Lands located on the north side of Bradley Avenue between Jackson Road and Meadowgate Boulevard (39T-07508)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Greengate Village Limited, relating to the property located on the north side of Bradley Avenue, between Jackson Road and Meadowgate Boulevard, legally described as Part of Lots 13 and 14, Concession 1 (geographic Township of Westminster) and Part of Asima Drive and Part of Block 116 and all of Lots 60 to 73, both inclusive, and all of Lots 113 and 114 on Plan 33M-533:

- a) the Approval Authority BE REQUESTED to approve a three (3) year extension to Draft Plan Approval for the residential plan of subdivision File No. 39T-07508, SUBJECT TO the revised conditions contained in Schedule "A" 39T-07508 appended to the staff report dated December 4, 2017; and,
- b) the applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated December 4, 2017 as Schedule "B" 39T-07508. (2017-D12)

Motion Passed

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

- 6. Michael Street Subdivision - Subdivision Special Provisions (39T-16506)

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 Wastell Builders (London) Inc., for the subdivision of land over Block 'C', Registered Plan No. 795 and Part of Lot 7, Concession 2, (Geographic Township of London), City of London, County of Middlesex, situated on the north side of Michael Street, municipally known as 1245 Michael Street:

- a) the Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Wastell Builders (London) Inc., for the Michael Street Subdivision (39T-16506) appended to the staff report dated December 4, 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 December 4, 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, S. Turner, T. Park, M. Cassidy, J. Helmer, A. Hopkins (6)

7. Properties located at 2313 and 2373 Callingham Drive (P-8830)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Town and Country Developments (2005) Inc., to exempt the properties located at 2313 and 2373 Callingham Drive from Part Lot Control:

- a) pursuant to subsection 50(7) of *the Planning Act, R.S.O. 1990, c. P.13*, the proposed revised by-law appended to the December 4, 2017 Planning and Environment Committee Added Agenda BE INTRODUCED at a future Council meeting, to exempt Block 2 and 3, Plan 33M-664, from the Part Lot Control provisions of subsection 50(5) of the said *Act*, for a period not to exceed three (3) years;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part Lot Control By-law for Block 2 and 3, Plan 33M-664 as noted in clause a) above:
 - i) the submission by the Applicant of a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office;
 - ii) the submission by the Applicant to Development Services of a digital copy, together with a hard copy, of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iii) the submission by the Applicant of each draft reference plan to London Hydro showing driveway locations and to obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the Land Registry Office;
 - iv) the submission by the Applicant to the City for review and approval prior to the reference plan being deposited in the Land Registry Office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - v) the Applicant entering into any amending subdivision agreement with the City, if necessary;
 - vi) the Applicant agreeing to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
 - vii) the Applicant obtaining confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited;
 - viii) the Applicant obtaining approval from Development Services for each reference plan to be registered, prior to the reference plan being registered in the Land Registry Office;

- ix) the Applicant submitting to the City confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office; and,
 - x) the Applicant obtaining clearance from the City that requirements iii), iv) and v) inclusive, outlined above, have been satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan; and,
- c) the Applicant BE ADVISED that the cost of registration of the above-noted by-law is to be borne by the Applicant, in accordance with City policy. (2017-D25)

Motion Passed

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

8. Property located at 1357 Hyde Park Road (P-8821)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Adrian Plante, to exempt 1357 Hyde Park Road from Part Lot Control:

- a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed revised by-law appended to the December 4, 2017 Planning and Environment Committee Added Agenda BE INTRODUCED at a future Council meeting, to exempt PART OF LONDON CON 3 PT 27 RP further described as Part 1, 33R-19095 from the Part Lot Control provisions of subsection 50(5) of the said *Act*, for a period not to exceed three (3) years;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part Lot Control By-law for PART OF LONDON CON 3 PT 27 RP, further described as Part 1, 33R-19095, as noted in clause a) above:
 - i) the submission by the Applicant of a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office;
 - ii) the submission by the Applicant to Development Services of a digital copy, together with a hard copy, of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iii) the submission by the Applicant of each draft reference plan to London Hydro, showing driveway locations and obtaining approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the Land Registry Office;
 - iv) the submission by the Applicant to the City for review and approval, prior to the reference plan being deposited in the Land Registry Office; any revised lot grading and servicing plans, in accordance with the final lot layout to divide the blocks, should there be further division of property contemplated as a result of the approval of the reference plan;
 - v) the Applicant entering into any amending subdivision agreement with the City, if necessary;
 - vi) the Applicant agreeing to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
 - vii) the Applicant obtaining confirmation from Development Services, that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited;
 - viii) the Applicant obtaining approval from Development Services for each reference plan to be registered prior to the reference plan being registered in the Land Registry Office;

- ix) the Applicant submitting to the City confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
 - x) the Applicant obtaining clearance from the City that requirements iii), iv) and v) inclusive, outlined above, have been satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan;
 - xi) the receipt of a letter from Minister of Environment & Climate Change confirming acceptance of Record of Site Condition;
 - xii) the receipt of a letter from Owner's engineer or surveyor certifying all existing buildings and structures have been removed from the Block;
 - xiii) confirmation that the 0.3 metre reserve on Findlay Drive has been removed to the satisfaction of the City Surveyor;
 - xiv) confirmation that Zoning By-law amendment (Z-8816) be completed and be in full force and effect that permits street townhouse development;
 - xv) confirmation that Consent application (B.036/17) be completed and be in full force and effect that creates the separate parcel that permits the development of street townhouse; and,
- c) 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-D09)

Motion Passed

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

9. Hunt Lands Subdivision - Subdivision Special Provisions (39T-12503)

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 Colonel Talbot Developments Inc., for the subdivision of land over Part of Lot 72 and 73, Concession East of the North Branch of the Talbot Road, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the east side of Colonel Talbot Road, north of Lambeth:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Colonel Talbot Developments Inc., for the Hunt Lands Subdivision (39T-12503) appended to the staff report dated December 4, 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 December 4, 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 December 4, 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 fulfill its conditions. (2017-D12)

Motion Passed

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

10. Foxhollow North Kent Subdivision Phase 2 (39T-04510-2)

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 Foxhollow North Kent Developments Inc., for the subdivision of land over Part of Lot 23, Concession 5, (Geographic Township of London), City of London, County of Middlesex, situated on the south side of Sunningdale Road West, between Wonderland Road North

and Hyde Park Road and on the north side of the Heard Drain, municipally known as 1284 and 1388 Sunningdale Road West:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the Foxhollow North Kent Subdivision, Phase 2 (39T-04510-2) appended to the staff report dated December 4, 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 December 4, 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 December 4, 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 fulfill its conditions. (2017-D12)

Motion Passed

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

11. Planning for Non-therapeutic Cannabis in Retail Stores

That, on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the City Manager, the following actions be taken with respect to non-therapeutic cannabis legalization:

- a) the staff report dated December 4, 2017, entitled "Planning for Non-Therapeutic Cannabis Retail Stores" BE RECEIVED for information;
- b) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017 to establish a new Council Policy entitled "Siting of Cannabis Retail Stores in London";
- c) the Council Policy, noted in b) above, BE FORWARDED to the Province of Ontario for their consideration when determining the siting of the first cannabis retail store in the city;
- d) the Managing Director, Planning and City Planner BE DIRECTED to initiate the necessary amendments to the Official Plan and Zoning By-law, to plan for cannabis retail stores at appropriate locations, ensure adequate parking facilities and require appropriate site design (where applicable) going forward;
- e) the Civic Administration BE DIRECTED to continue to work with the provincial and federal governments to identify the potential policing, by-law enforcement, and community services requirements associated with the legalization of non-therapeutic cannabis and to request that a portion of the revenues raised from the taxation of cannabis products be identified as a source of financing for municipalities; and,
- f) the Civic Administration BE DIRECTED to advise the relevant Ministries that the Municipal Council requests that consideration be given for the opening of up to five (5) retail stores in London by July 1, 2018; it being noted that London is the only municipality in Southwestern Ontario with current illegally operated dispensaries in place; it being further noted that London serves a much larger population beyond the city boundaries, given that the closest municipalities that is proposed to be opening a retail store are Windsor and Kitchener-Waterloo;

it being noted that the Province of Ontario or its agents are not bound by municipal policies or by-laws relating to the siting of cannabis retail stores, but that Ministry of Finance and Liquor Control Board of Ontario representatives

have indicated that the Province of Ontario intends to respect any such policies or by-laws established by local municipalities; and,

it being further noted that the Province of Ontario has indicated that it is intending to open a cannabis retail store in London by July 1, 2018. (2017-D09)

Motion Passed

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

NAYS: T. Park (1)

RECUSED: S. Turner (1)

Voting Record:

Motion to approve part b)

Motion Passed

YEAS: M. Brown, M. Cassidy, J. Helmer (3)

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

RECUSED: S. Turner (1)

Motion to approve part d)

Motion Passed

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

NAYS: T. Park (1)

RECUSED: S. Turner (1)

Motion to approve part e)

Motion Passed

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

RECUSED: S. Turner (1)

12. Property located at 1880 Phillbrook Drive (H-8824)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Adelaide and Phillbrook Centre Inc., relating to the property located at 1880 Phillbrook Drive, the proposed by-law appended to the staff report dated December 4, 2017 BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a holding Office Special Provision (h-103*OF4(4)) Zone TO an Office Special Provision (OF4(4)) Zone to remove the "h-103" holding provision. (2017-D09)

Motion Passed

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

13. Passage of Designating By-law - property located at 329 Victoria Street

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the by-law appended to the December 4, 2017 Planning and Environment Committee Added Agenda to designate the property located at 329 Victoria Street to be of cultural heritage value or interest BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017; it being noted that this matter has been considered by

the London Advisory Committee on Heritage and public notice has been completed with respect to the designation in compliance with the requirements of the *Ontario Heritage Act*. (2017-R01)

Motion Passed

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

14. Passage of Designating By-law - properties located at 93-95 Dufferin Avenue

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the proposed revised by-law appended to the December 4, 2017 Planning and Environment Committee Added Agenda to designate the properties located at 93-95 Dufferin Avenue to be of cultural heritage value or interest BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017; it being noted that this matter has been considered by the London Advisory Committee on Heritage and public notice has been completed with respect to the designation in compliance with the requirements of the *Ontario Heritage Act*. (2017-R01)

Motion Passed

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

15. Passage of Designating By-law - property located at 391 South Street

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the proposed revised by-law appended to the December 4, 2017 Planning and Environment Committee Added Agenda to designate the property located at 391 South Street (the Colborne Building) to be of cultural heritage value or interest BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017; it being noted that this matter has been considered by the London Advisory Committee on Heritage and public notice has been completed with respect to the designation in compliance with the requirements of the *Ontario Heritage Act*. (2017-R01)

Motion Passed

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

RECUSED: T. Park (1)

16. Candidate Approval for the Urban Design Peer Review Panel

That, on the recommendation of the Managing Director, Planning and City Planner, the following candidates BE APPROVED for the positions listed below on the Urban Design Peer Review Panel:

- a) McMichael Ruth– Position of Architect;
- b) Steven Cooper – Position of Architect; and,
- c) Heather Price (nee Holbrook) – Position of Senior Planner/Urban Designer. (2017-D32)

Motion Passed

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

17. Building Division Monthly Report for October 2017

That the Building Division Monthly Report for the month of October, 2017 BE RECEIVED. (2017-D04)

Motion Passed

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

IV. SCHEDULED ITEMS

18. Updated Program Guidelines for Community Improvement Plan Financial Incentive Programs

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to implementing new guidelines for financial incentive programs permitted through the Downtown, Old East Village, SoHo and Industrial Lands Community Improvement Plan financial incentive programs:

- a) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017 to amend By-law C.P.-1467-175, as amended, being "A by-law to establish financial incentives for the Downtown Community Improvement Project Areas", to delete the existing program guidelines and related schedules and to replace them with new program guidelines and schedules;
- b) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017 to amend By-law C.P.-1468-176, as amended, being "A by-law to establish financial incentives for the Old East Village Community Improvement Project Area", to delete the existing program guidelines and related schedules and to replace them with new program guidelines and schedules;
- c) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017 to repeal and replace By-law C.P.-1481-176, being "A by-law to establish financial incentives for the SoHo Community Improvement Project Area", with a new by-law that provides for new program guidelines and schedules; and,
- d) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "D" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017 to amend By-law C.P.-1494-217, being "A by-law to adopt the Community Improvement Plan for Industrial land uses", to delete Schedules 3 and 4 and to replace them with new Schedules 3 and 4;

it being noted that financial incentive program guidelines for the forthcoming Hamilton Road Area Community Improvement Plan and the Lambeth Community Improvement Plan will be introduced when the respective Community Improvement Plans are brought forward to Municipal Council for approval and adoption;

it being pointed out that the Planning and Environment Committee heard a verbal presentation from M. Zucchet, Vice President, Property Management, Atlantis, with respect to this matter. (2017-D19)

Motion Passed

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

19. Property located at 1357 Hyde Park Road (Z-8816)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Fanshawe Motors, relating to the eastern portion of the property located at 1357 Hyde Park Road, the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 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 Holding Residential R1 Special Provision (h•h-100•R1-13(6)) Zone TO a Holding Residential R4 Special Provision (h•h-100•R4-4(____)) 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:

- staff have reviewed the requested Zoning By-law Amendment application and find that it is consistent with the Provincial Policy Statement and conforms with the existing Official Plan policies as well as the Council-adopted London Plan policies that apply to the subject site;
- staff have worked with the applicant to reduce the requested maximum lot coverage from 52% to 45%, to allow for a better fit with the properties to the north and south of the subject site; it being noted that the properties to the north and south of the subject site are currently in a Residential R4-4 Zone which permits a maximum lot coverage of 35%. These properties are subject to a Zoning By-law Amendment application that is currently under review for a requested special provision to increase the maximum permitted lot coverage from 35% to 45% (Z-8850). A reduction in the maximum lot coverage to 45% would allow for a consistent form with the townhouses on the adjacent properties, should the Zoning By-law Amendment on the adjacent sites be approved. The applicant is supportive of this revision and this revision is incorporated into the recommended zoning; and,
- the site is currently not serviced and does not have access to a public road. The existing holding provision, which is proposed to be retained, prohibits development until the necessary services are in place. (2017-D25)

Voting Record:

Motion Passed

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

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

20. Properties located at 329-331 Richmond Street (Z-8812)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Youth Opportunities Unlimited, relating to the properties located at 329 and 331 Richmond Street:

- a) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 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 Holding Downtown Area (h-3•DA1•D350) Zone TO a Holding Downtown Area Bonus (h-3•DA1•D350•B(_)) Zone, SUBJECT TO the completion of a development agreement to facilitate the development of a high quality, multi-storey, mixed-use building with a maximum of 36 dwelling units (556 units per hectare) which substantively implements the Site Plan and Elevations appended to the staff report dated December 4, 2017 as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

i) Exceptional Building Design

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 while retaining cultural heritage features for buildings being constructed in strategic or prominent locations in the Downtown;

ii) Overall Design

329 Richmond Street

the residential portion of (3rd-6th floors) of the development provides a contemporary design separating it from the historic ground floor base through a horizontal band of curtain wall glazing. The historically designated stone archway and columns along the east and south building face of 329 Richmond Street will be preserved and infilled with curtain wall glazing; it being noted that the rhythm of the existing brick piers along the York Street facade will remain; it being further noted that a rooftop greenhouse and landscape amenity area are to be provided;

331 Richmond Street

the east elevation of the ground floor of 331 Richmond Street will replicate the architectural style of the original building facade with brick piers infilled with storefront glazing; it being noted that the second to fourth floors will maintain the existing horizontal and vertical proportions of the existing streetscape matching the brick and stone as closely as possible allowing the 4 storey structure to blend in, leaving the corner property to stand as the contemporary architectural focal point; and,

- b) the Site Plan Approval Authority BE REQUESTED to consider the implementation of the facilities, services and matters described in the above-noted clause a) through the site plan approval process;

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 amendment is consistent with the Provincial Policy Statement 2014;
- the recommended amendment is consistent with the City of London Official Plan policies and Downtown Heritage Conservation District;
- 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;
- the recommended use is contemplated through the London Plan; and,
- the recommended amendment is consistent with the planning policies of *Our Move Forward – London's Downtown Plan*. (2017-D09)

Voting Record:

Motion Passed

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

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

21. Brydges Street Area Review (O-8749)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London, relating to the Brydges Street Review:

- a) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017 to amend the Official Plan by ADDING a new special policy to Chapter 10 "Policies for Specific Areas" to apply to the Brydges Street Area; and,
- b) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "B" BE INTRODUCED at a future Municipal Council meeting, to amend The London Plan by ADDING new policies to the Specific Policies for the Industrial Place Types to apply to the Brydges Street Area 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;

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

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

- following the Industrial Lands Development Strategy industrial lands within the interior of the city, like the Brydges Street Area, have been seen to struggle to attract new industrial users;
- there also remains existing successful industrial businesses within the study area;
- recent comprehensive review has not indicated that the Brydges Street Area should be removed from the City's employment lands;
- commercial uses subject to specific criteria set out through a special policy area have the potential to maintain the existing building stock and to reduce vacancy while new industrial users are sought;
- the criteria set out within the proposed amendment seek to ensure any commercial uses that do locate within the Brydges Street Area do not negatively affect existing or future industrial or residential uses. (2017-D09)

Voting Record:

Motion Passed

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

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

22. Properties located at 770 Whetter Avenue/8 Fairview Court (SPA17-046)

That on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the Site Plan Control application by Homes Unlimited, relating to the property located at 770 Whetter Avenue/8 Fairview Court:

- a) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the Site Plan Approval application to permit the construction of a four (4) storey apartment building with a total of fifty-four (54) residential units with respect to:
- i) flooding when there is significant rainfall;
 - ii) backing up of traffic in both directions when there is a train;
 - iii) train signals going hours after the train has gone by causing noise pollution for the residents;
 - iv) installing the largest building near single family homes;
 - v) privacy as the dwelling will tower over one and two storey homes;
 - vi) the slope of the parking lot and the elevation of the swale;
 - vii) the vibrations from the construction of the proposed building potentially damaging the foundations of the area residents homes;
 - viii) safety of children walking to school with the increase in traffic; and,
 - ix) the noise from the train bounce off the proposed building and potentially impacting the residents further; and,
- b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan application to permit the construction of a four (4) storey apartment building with a total of fifty-four (54) residential units;

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. (2017-D12)

Voting Record:

Motion Passed

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

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

23. Properties located at 467-469 Dufferin Avenue (OZ-8804)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Marigold Homes Inc., relating to the property located at 467-469 Dufferin Avenue:

- a) the request to amend the Official Plan to ADD a Specific Area Policy to Chapter 10 (Policies for Specific Areas) to allow an apartment building with 12-“Micro-suites”, and a maximum density up to 307 units per hectare BE REFUSED for the following reasons:
- i) the requested amendment is not consistent with the Provincial Policy Statement (2014) which encourages intensification at appropriate locations where it can be accommodated; it being noted that there is no clear commitment to satisfy the definition of affordable housing in the Provincial Policy Statement (2014); it

- being further noted that the proposed development is not consistent with the Provincial Policy Statement (2014) which directs that cultural heritage resources shall be conserved;
- ii) the requested amendment does not satisfy the location criteria for a Special Policy Area; it being noted that the proposed development does not satisfy all the criteria of a Planning Impact Analysis required for a Specific Policy Area;
 - iii) the proposed development requires the removal or demolition of the existing building located on the subject lands within the East Woodfield Heritage Conservation District; it being noted that the requested amendment does not conform to the Official Plan or The London Plan that encourages cultural heritage resources be conserved and protected; it being further noted that the proposed development does not conform to the East Woodfield Heritage Conservation District Plan; and,
 - iv) the proposed redevelopment represents an over intensification of the subject lands;
- b) the request to amend Zoning By-law No. Z.-1 to ADD the definition of “Micro-suites” to Section 2 (Definition) and to change the zoning of the subject property FROM a Residential R3 (R3-2) Zone TO a Residential R3/Residential R8 Special Provision Bonus (R3-2/R8-4()•B()) Zone, BE REFUSED for the following reasons:
- i) the requested amendment is not consistent with the Provincial Policy Statement (2014) which encourages intensification at appropriate locations where it can be accommodated; it being noted that there is no clear commitment to satisfy the definition of affordable housing in the Provincial Policy Statement (2014); it being further noted that the proposed development is not consistent with the Provincial Policy Statement (2014) which directs that cultural heritage resources shall be conserved;
 - ii) the requested amendment does not conform to the density of development contemplated in the Official Plan, nor the use and height of development contemplated in the “Neighbourhoods” Place Type in The London Plan;
 - iii) the requested amendment does not satisfy all the criteria of a Planning Impact Analysis required for applications considering residential intensification;
 - iv) the proposed development requires the removal or demolition of the existing building located on the subject lands within the East Woodfield Heritage Conservation District; it being noted that the requested amendment does not conform to the Official Plan or The London Plan that provides for the conservation and protection of cultural heritage resources; it being further noted that the proposed development does not conform to the East Woodfield Heritage Conservation District Plan;
 - v) the request for Bonus Zoning does not satisfy the general Bonus Zoning objectives in the Official Plan, and not all of the proposed bonusable items are eligible for the Bonus Zoning;
 - vi) there is no clear commitment to satisfy the definition of affordable housing in the Provincial Policy Statement (2014), the 1989 Official Plan or The London Plan as a rationale for Bonus Zoning;
 - vii) a compelling reason has not been provided to define “Micro-suites” separately for the purposes of this application; and,
 - viii) the requested amendment represents an over intensification of the subject lands;

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

- a communication dated November 26, 2017 from M. Bloxam, President, London Region Branch, Architectural Conservancy of Ontario;
- a communication dated November 27, 2017 from M. Coles, 38 Palace Street;
- a petition with 111 signatures expressing support for the proposed development and 2 signatures against the proposed development from B. Lansink;

- a communication dated November 21, 2017, from P.M. Shearer, Region 1 Executive Board Member, Local 112-153, Ontario Public Service Employees Union; and,
- a communication from G. Warren, 16-624 William Street;

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

it being further noted that the Municipal Council refuses these applications for the following reasons:

- the applicant has requested a Specific Policy Area to permit the proposed apartment building up to a maximum density of 307 units per hectare that otherwise would not be permitted on lands designated “Low Density Residential” by the policies in the Official Plan. The proposed use and height of 3-storeys is also not contemplated on the subject lands within the Neighbourhoods Place Type with frontage on a Neighbourhood Street according to Table 10 and Table 11 in The London Plan. Specific Policy Areas are intended to augment the standard policy direction with more detailed and specific policy direction for an area. However, the subject lands within the Low Density Residential designation have the ability to redevelop and intensify under the existing in-force policies up to Medium Density Residential development (75 units per hectare). Being mindful that policies specific to the Woodfield Neighbourhood direct that the neighbourhood be maintained as a predominately Low Density Residential area, there is nothing particularly unique about the subject lands to warrant residential intensification beyond the scale contemplated under the existing in-force policies;
- the applicant has requested that “Micro-suites” be permitted through the requested Specific Policy Area and also defined within the Zoning By-law. As proposed to be defined by the applicant, “Micro-suites” are intended primarily for occupancy by one (1) individual with a maximum of one (1) bedroom and a floor area maximum of 42 sq. m. The proposed dwelling units have the ability to comply with the minimum dwelling unit area for a bachelor of 37 sq. m as set out in the Zoning By-law. The fact that the accessible units on the ground floor are shown as bachelors and that the door between the sleeping area and living area for the other units is shown as “optional”, is a strong indication the need to define “Micro-suites” separately is not particularly compelling for the purposes of this application (see Proposed Floor Plan on page 15 of the staff report);
- the requested definition proposes to restrict occupancy and bedroom number in order to manage how intensely a site with Micro-suites is used. The request to recognize an intended occupancy of one (1) person through Zoning tools is not consistent with other regulatory documents such as the Property Standard’s By-law CP-16 or the Ontario Building Code. Moreover, the conventional standard in the Zoning By-law is to attribute density to the number of dwelling units per hectare;
- the Provincial Policy Statement (2014) directs planning authorities to plan for residential intensification in appropriate locations where it can be accommodated. The policies of the Official Plan and The London Plan permit residential intensification in Low Density Residential areas to a scale that is appropriate for the receiving neighbourhood. Specific Area Policies which augment the general residential intensification policies provide additional guidance on what is considered to be appropriate residential intensification for the neighbourhood in which the subject lands are located. Having considered the planned intent for the neighbourhood as well as the physical constraints of the subject lands, the proposed development is not consistent with the intent of the Provincial Policy Statement (2014) to manage intensification wisely and direct intensification where it can be appropriately accommodated. The proposed redevelopment does not conform to the policies in the Official Plan or The London Plan that provide clear direction as to how the receiving neighbourhood is expected to grow and change. The proposed development of the subject lands requires several special provisions to the requested R8 Zone to regulate the proposed use. The amount of special provisions and the degree by which they diverge from the standard zoning requirements is a clear indication the proposed

- redevelopment is an over-intensification of the site;
- the Provincial Policy Statement (2014) requires planning authorities to plan for an appropriate range of housing types and densities to meet the housing requirements of all residents, including the provision of housing which is affordable. The Official Plan and The London Plan encourage housing choice, and recognize the potential of intensification in increasing the supply of housing which is affordable. Although, Micro-suites have the potential to add to housing choice, the applicant has not demonstrated that the proposed units will be affordable relative to units of a comparable size, and there is a lack of a clear commitment by the applicant to meet the definition of affordable housing in the governing policy documents. The proposed development is not required to contribute to the long-term supply of sustainable affordable housing. The proposed units are intended to be privately controlled market rate rentals with no agreements with the City or provincially mandated service providers of affordable housing to ensure affordability will be maintained over the long term. There is no certainty that the proposed development will contribute to the creation of sustainable affordable housing in return for the requested increase in density;
- the Provincial Policy Statement (2014) promotes the wise use and management of cultural heritage resources and directs that significant built heritage resources be conserved. Consistent with the Provincial Policy Statement (2014), there is an underlying preference by the Official Plan and The London Plan policies that cultural heritage resources be conserved and protected, and that the removal of these resources is the least desirable course of action and should be discouraged. In order to manage cultural heritage resources The London Plan requires consideration of mitigation measures to address any impacts on the cultural heritage resources and to conserve the cultural heritage resource; and,
- located within the East Woodfield Heritage Conservation District (HCD), the subject lands are a protected heritage property designated under Part V of the *Ontario Heritage Act*. Further research and evidence to fully substantiate the cultural heritage value or interest of the property, including the existing building as built heritage resource, is required before any irreversible decisions regarding the property (i.e. removal or demolition of the existing building) are made. As a result of the Heritage Impact Assessment (HIA) not considering mitigation measures to address the impacts of the proposed development, including the removal or demolition of the existing building, the HIA has not demonstrated how this significant built heritage resource will be conserved. The application is contrary to the policy direction of the Provincial Policy Statement, the Official Plan and The London Plan. (2017-D09)

Motion Passed

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

24. Properties located at 790, 792 and 794 Quebec Street (Z-8819)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Thames Valley District School Board, relating to the properties located at 790, 792 and 794 Quebec Street:

- a) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 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 R2 (R2-2) Zone, TO a Neighbourhood Facility (NF) Zone; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the following through the site plan process:
 - i) the installation of 1.8m tall board on board privacy fence where the subject site abuts residential dwellings to the south and east;
 - ii) the installation of 1.5m tall transparent fence of wrought iron or similar style where the subject site abuts Quebec Street;
 - iii) the use of landscaping including tree planting and flax grasses or similar treatment where the subject site abuts Quebec Street; and,
 - iv) further discussions with the applicant with respect to the proposed location of the fence on the school property in order to allow the resident to maintain their property;

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

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

- the enlargement of the existing school is consistent with the Provincial Policy Statement, 2014 as it creates a more functional space and optimizes the existing public service facility;
- the recommended amendment is consistent with the Community Facility policies of the existing Official Plan as well as the Neighbourhood policies of the London Plan; and,
- the existing East Carling Public School is compatible with the surrounding residential neighbourhood, and the additional land will create a larger and more viable school yard. (2017-D09)

Motion Passed

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

YEAS: S. Turner, T. Park, J. Helmer, A. Hopkins (4)

Motion to close the public participation meeting.

Motion Passed

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

25. Properties located at 940 and 956 Wharncliffe Road South (Z-8813)

That, the application of Southside Group, relating to the properties located at 940 and 956 Wharncliffe Road South, BE REFERRED back to the Managing Director, Planning and City Planner, to identify and report back on the appropriate raw materials that can be stored on the property. (2017-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, A. Hopkins (3)

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

26. Properties located at 1235-1295 Fanshawe Park Road West (O-8799/Z-8798)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of SmartREIT, relating to the properties located at 1235 – 1295 Fanshawe Park Road West:

- a) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 2017 to amend the Official Plan by ADDING a policy to Chapter 10 – “Policies for Specific Areas” to permit multiple-unit residential developments having a low-rise profile, and certain specialized residential facilities such as small-scale nursing homes, retirement lodges, emergency care establishments and continuum-of-care facilities;
- b) the proposed by-law appended to the staff report dated December 4, 2017 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on December 12, 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 an Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zone TO a Holding Residential R8 Special Provision (h-147-R8-4(**)) Zone and a Holding Residential R8 Special Provision/ Associated Shopping Area Commercial Special Provision (h-147-R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone;
- c) the Site Plan Approval Authority BE REQUESTED to consider the following design and engineering issues through the site plan approval process:
 - i) creation of a grid or modified grid internal drive-aisle hierarchy including primary internal drive aisles aligning with the driveways for 2900 Tokala Trail and 2825 Dalmagarry Drive, to provide for short and direct connections through and within the site for vehicles, pedestrians and other active mobility modes;
 - ii) designing of primary drive aisles and driveways as local streets including parallel on-street parking where appropriate, sidewalks, pedestrian-scale lighting, and boulevard trees;
 - iii) ensuring that the east-west primary internal drive aisle extends to the west property line to provide for a possible future vehicular connection through the Lowe’s site to the public street network;
 - iv) encouraging underground parking for commercial and mixed-se development; it being noted that where underground parking is not provided, direct large surface parking areas to the side and rear of buildings and the primary internal streets and strategically screen them from view with a combination of low landscape walls and planting;
 - v) encouraging the siting of common amenity space(s) in centrally located areas that are highly visible and easily accessible from the primary internal drive aisles and form an integral part of the pedestrian mobility network on the site;

- vi) encouraging more intensive building forms/heights to be directed to the south part of the site, providing for a transition in height and intensity toward the low density residential neighbourhood to the north;
- vii) contributing to the character of the neighbourhood by establishing active frontages, creating a sense of enclosure and providing a comfortable, high quality pedestrian environment, place design emphasis for all development forms on the relationship of the buildings and landscape treatments to the public streets, prominent intersections, the primary internal drive aisles and the common amenity space(s), considering such elements as:
 - A) orienting buildings and main entrances to buildings to these features;
 - B) designing side elevations that are visible from the public realm to have a similar level of prominence and detail as front facades;
 - C) exploring opportunities to highlight prominent public street intersections or entrances into the development with enhanced building design;
 - D) using building and roof line articulation, appropriately scaled and located windows, and variation in materials, colours and architectural treatments to create a human-scaled rhythm, add interest and break down large facades; and,
 - E) providing high-quality landscaping in these areas;
- viii) in mixed-use and apartment buildings, residential units should be designed to:
 - A) providing direct access from individual units to adjacent sidewalks; and,
 - B) providing individual private outdoor amenity space that may be delineated from and provide a transition to the adjacent communal areas through the use of grade changes, landscaping, low walls or other vertical elements that maintain views for safety;
- ix) supporting mixed-use development, encourage additional main floor height to facilitate the use or conversion of this space for non-residential uses;
- x) townhouses should be designed to:
 - A) orienting buildings (primary entrance, high level of vision glass and architectural detail) to public streets and primary internal drive aisles as a first and second priority, respectively.
 - B) providing for direct pedestrian access from primary entrances to the sidewalk on the public street or primary internal drive aisle;
 - C) discouraging the use of fencing between the front of the unit and the public street, other than low, decorative fencing intended solely to delineate private from public space; and,
 - D) providing sufficient useable amenity area behind buildings;
- xi) providing enhanced landscaping/buffering for mixed-use or residential development adjacent to the existing commercial development to the west;

- xii) for units along the north property line west of Tokala Trail, considering opportunities to orient dwelling toward Tokala Trail, in conjunction with any future development proposals by others at 2975 Tokala Trail; and,
 - xiii) revising existing Sanitary Area plans and design sheets if required;
- 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 City staff gave notice of the possible additional consideration of other special regulation such as for building setbacks from property lines, and the recommended zones and special provisions reflect the same or fewer land use permissions, and the same or more restrictive regulations than advertised in the Notice of Application; and,
- e) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM an Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ ASA8(5)) Zone TO a revised Associated Shopping Area Commercial Special provision (ASA3/ASA6/ASA8(5)) Zone to permit, in addition to the above-noted uses, apartment buildings, handicapped persons apartment buildings, senior citizen apartment buildings, townhouses and stacked townhouses, nursing homes, retirement lodges, lodging house class 2, emergency care establishments, and continuum-of-care facilities, with special regulations to allow all uses to develop either in a standalone building or as part of a mixed-use building, including a live-work format; and for residential uses, a maximum height of 4 storeys, a maximum lot coverage of 40%, and a minimum landscaped open space of 30%, BE REFUSED for the following reasons:
- i) it is more appropriate to combine a Residential R8 Zone with the existing Associated Shopping Area Special Provision (ASA3/ASA6/ASA8(5)) Zones than to add residential uses as special provisions to the commercial zones, for this property;
 - ii) the recommended land uses for the north part of the property are restricted to residential or specialized residential facilities, omitting the existing commercial zones from this area;
 - iii) the recommended regulations include yard depth setbacks, density and height provisions and restrictions on parking, drive aisles and drive-through facilities for new residential or mixed-use development that were not requested by the applicant but which will help to implement desirable urban design features and ensure adequate servicing can be provided; and,
 - iv) a holding provision is recommended to ensure the design issues identified in clause c) are considered at the site plan stage;

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 to the 1989 Official Plan aligns the policy basis for the proposed development of the property with the Shopping Area policies of The London Plan which was adopted by Council;
- the recommended amendments are consistent with the Provincial Policy Statement, 2014;
- the recommended Zoning By-law amendment is consistent with the recommended amendment to the 1989 Official Plan;
- the recommended Zoning By-law amendment is consistent with the Shopping Area and City Design policies of *The London Plan*;
- the recommended Zoning By-law amendment provides for and distinguishes an appropriate range of permitted uses on the subject site;
- the recommended zoning special provisions support development and urban design goals that are appropriate for the site and its context; and,

- the matters requested to be considered by the site plan approval authority support development, urban design and engineering goals that are appropriate for the site and its context. (2017-D09)

Motion Passed

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

27. Parking Strategy for Downtown London

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the Parking Strategy for Downtown London:

- a) the Parking Strategy Report and Action Plan for Downtown London as summarized in the Executive Summary appended to the staff report dated December 4, 2017 as Appendix A, BE ACCEPTED as the basis for the future actions with respect to parking in downtown;
- b) the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official BE DIRECTED to look for opportunities to invest in joint venture projects by participating within the next 3-20 years in the Downtown London Business Improvement Area (BIA) boundary and in sub areas 3, 4 and 1 in central and southwest downtown, and a business case be brought forward for the 2020-2024 multi-year budget for the new Municipal Council's consideration;
- c) the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official BE DIRECTED to report back at a future date on the financial implications and a strategy to fund new public parking spaces as part of new developments in the next 20 years;
- d) the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official BE DIRECTED to explore opportunities to improve coordination of all City owned and controlled on and off-street parking facilities to achieve improved downtown area wide parking management and transportation demand management opportunities;
- e) the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official BE DIRECTED to undertake a gradual approach to the discontinuation of temporary zone permissions for temporary surface commercial parking lots in downtown where there is surplus public parking due to lower parking utilization and in coordination with future parking utilization monitoring and travel mode shifts;

- f) the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official BE DIRECTED to amend the Downtown Community Improvement Plan (CIP) to allow for bonusing of private entities and the creation of public-private partnerships for the purpose of developing public parking and municipal parking garages within the Downtown; and,
- g) an increase in the annual commercial boulevard parking rate in the downtown from \$3.10 per square foot to \$4.80 per square foot BE INCLUDED in a future Fee and Charges Bylaw update;

it being noted that the Planning and Environment Committee received the attached presentation from Stuart B. Anderson, BA Consulting Group Ltd., with respect to these matters. (2017-T02)

Motion Passed

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

28. Property located at 324 York Street (TZ-8815)

That, the application of Bradel Properties Limited, relating to the property located at 324 York Street, to extend the Temporary Use (T-71) Zone for a period not exceeding six (6) months BE REFUSED as there are existing parking lots surrounding this development and the rezoning to add an additional parking lot is not required;

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-D09)

Motion Passed

YEAS: T. Park, M. Cassidy, J. Helmer (3)

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

Voting Record:

Motion to open the public participation meeting.

Motion Passed

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

Motion to close the public participation meeting.

Motion Passed

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

Motion to approve the staff recommendation.

Motion Failed

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

NAYS: T. Park, M. Cassidy, J. Helmer (3)

V. ITEMS FOR DIRECTION

29. Downtown Temporary Commercial Parking Lots

That, on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to Downtown Temporary Commercial Parking lots:

- a) the Managing Director, Planning and City Planner BE DIRECTED to initiate an Official Plan amendment to The London Plan's Temporary Use Provisions section, in order to add criteria, consistent with the Downtown Parking Strategy, that will be considered when reviewing planning applications for temporary zoning for surface commercial parking lots in the Downtown;
- b) the Managing Director, Planning and City Planner BE DIRECTED to amend the guideline document entitled "Our Move Forward: London's Downtown Plan" to provide more detailed and streetscape-specific guidance on the evaluation of planning and development applications for temporary zoning to permit and design surface commercial parking lots in the Downtown; and,
- c) the Managing Director, Planning and City Planner BE DIRECTED to continue to proactively advise owners and operators of existing unlicensed surface commercial parking lots to obtain a business license noting that one of the conditions of issuance of a business license includes conformity with municipal By-laws including the Zoning By-law. (2017-T02)

Motion Passed

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

30. 11th Report of the Environmental and Ecological Planning Advisory Committee

That, the following actions be taken with respect to the 11th Report of the Environmental and Ecological Planning Advisory Committee (EEPAC) from its meeting held on November 16, 2017:

- a) the Working Group comments appended to the 11th Report of the EEPAC related to the Parker Stormwater Management Facility BE FORWARDED to the Civic Administration for consideration;
- b) a Working Group consisting of S. Levin (lead), B. Krichker, S. Madhavji and I. Whiteside, BE ESTABLISHED to review the application by MHBC Planning, relating to the property located at a portion of 3700 Colonel Talbot Road and 3645 Bostwick Road and to report back at the next Environmental and Ecological Planning Advisory Committee (EEPAC) meeting; it being noted that the EEPAC reviewed and received a Notice dated October 30, 2017, from N. Pasato, Senior Planner, with respect to this matter;
- c) the following actions be taken with respect to Amendment Form - Case #9 – Invasive Species Management Strategy for the 2016-2019 Multi-Year Budget:
 - i) the Municipal Council BE ADVISED that the Environmental and Ecological Planning Advisory Committee supports the above-noted proposed amendment; and,
 - ii) the Municipal Council BE ENCOURAGED to include funding in future budgets for Invasive Species management;
- d) a Working Group, consisting of J. Stinziano, R. Trudeau and I. Whiteside, BE ESTABLISHED to review the application by Sifton Properties Limited, relating to the properties located at a portion of 3614, 3630 Colonel Talbot Road and 6621 Pack Road and to report back at the next

Environmental and Ecological Planning Advisory Committee meeting; it being noted that the EEPAC reviewed and received a Notice dated October 19, 2017, from N. Pasato, Senior Planner, with respect to this matter; and,

- e) clauses 1 to 5, 7, 9, 12 to 14, BE RECEIVED.

Motion Passed

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

31. Draft Hamilton Road Area Community Improvement Plan

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Hamilton Road Area Community Improvement Plan:

- a) the draft Hamilton Road Area Community Improvement Plan appended to the staff report dated December 4, 2017 BE CIRCULATED for public review and comment until January 19, 2018, to the Hamilton Road Area Business Association, the Hamilton Road Community Association, the Crouch Neighbourhood Resource Centre, the Upper Thames River Conservation Authority, the Canadian National Railway, the London Transit Commission, the London Police Service, the Ministry of Municipal Affairs, the Ministry of Housing, area property owners and all those who have previously participated in the process to date; and,
- b) based on the feedback received through the circulation process, the final Community Improvement Plan and any associated Community Improvement Plan By-law(s) and Official Plan amendment(s) BE PRESENTED at a future meeting of the Planning and Environment Committee for consideration and approval. (2017-D19)

Motion Passed

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

Motion to go past 11:00 PM.

Motion Passed

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

VI. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VII. CONFIDENTIAL

(Confidential Appendix enclosed for Members only.)

The Planning and Environment Committee convened in camera from 10:35 PM to 11:04 PM after having passed a motion to do so, with respect to the following matter:

- C-1. A matter pertaining to litigation or potential litigation with respect to appeals to the Ontario Municipal Board arising out of the London Plan and advice that is subject to solicitor-client privilege, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation with respect to appeals to the Ontario Municipal Board arising out of the London Plan.

VIII. ADJOURNMENT

The meeting adjourned at 11:04 PM.