

3RD REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on January 22, 2018, commencing at 4:00 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; I. Abushehada, A. Anderson, M. Campbell, M. Corby, M. Elmadhoon, M. Feldberg, J.M. Fleming, K. Gonyou, M. Knieriem, G. Kotsifas, P. Kokkoros, L. Livingstone, A. Macpherson, L. Maitland, H. McNeely, B. O'Hagan, N. Pasato, M. Pease, L. Pompillii, A. Riley, C. Saunders, S. Spring, M. Tomazincic, B. Westlake-Power, J. Yanchula and P. Yeoman.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor S. Turner disclosed a pecuniary interest in clause 14 of this Report having to do with the location of potential Supervised Consumption Facilities in London, by indicating that his supervisor, Dr. C. Mackie, CEO and Medical Officer of Health, Middlesex-London Health Unit, has delegation status at this meeting.

II. CONSENT ITEMS

2. Property located at 510 Central Avenue (H-8460)

That, on the recommendation of the Planner II, Development Services, based on the application by 2353034 Ontario Ltd., c/o Paul Hinde, relating to the property located at 510 Central Avenue, the proposed by-law appended to the staff report dated January 22, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 30, 2018 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 Residential R3 (h-5*h-193*R3-2(11)) Zone TO a Residential R3 (R3-2(11)) Zone to remove the h-5 and h-193 holding provisions. (2018-D09)

Motion Passed

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

3. Property located at 895 Fanshawe Park Road West (H-8842)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Foxwood Developments Inc., relating to the property located at 895 Fanshawe Park Road West, the proposed by-law appended to the staff report dated January 22, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 30, 2018 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 Residential R5/R6/R7 (h-11. R5-3/R6-5/R7.H12.D50) Zone and a Holding Residential R5/R6/R7 Special Provision (h.h-71.h-95.h-100.h-108.R5-3(16)/R6-5(28)/R7.H15.D75) Zone TO a Residential R5/R6/R7 Special Provision (R5-3(16)/R6-5(28)/R7.H15.D75) Zone, to remove the "h", "h-11", "h-71", "h-95", "h-100", and "h-108" holding provisions that were put in place to ensure the orderly development of lands and the adequate provision of municipal services, to encourage street oriented development, to ensure that the urban design concepts established through the Official Plan and/or Zoning By-law Amendment review process are implemented, to ensure there is adequate water service and appropriate access and to ensure that this parcel is developed in conjunction with abutting lands. (2018-D09)

Motion Passed

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

4. Property located at 3040 Pomeroy Lane (H-8863)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Old Oak Properties Inc., relating to the property located at 3040 Pomeroy Lane, the proposed by-law appended to the staff report dated January 22, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 30, 2018 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 Restricted Office/Residential R9/ Convenience Commercial (h-5.h-53.h-55.h-56.RO2/R9-7.H40/CC6) Zone TO a Restricted Office/Residential R9/ Convenience Commercial (RO2/R9-7.H40/CC6), to remove the "h-5", "h-53", "h-55", "h-56" holding provisions that were put in place for a public site plan review be held to ensure that development takes a form compatible with adjacent land uses, to encourage street oriented development and discourage noise attenuation walls along arterial roads to ensure the appropriate development of the site and limit the impact of the development on the existing roadways and to ensure there are no land use conflicts between arterial roads and the proposed residential uses. (2018-D09)

Motion Passed

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

5. Property located at 1080 Westdel Bourne (H-8840)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to a portion of the lands located at 1080 Westdel Bourne, located southwest of the future extension of Riverbend Road and The Linkway, the proposed by-law appended to the staff report dated January 22, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 30, 2018 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a holding Business District Commercial Special Provision (h•h-206•BDC(31)) Zone TO a Business District Commercial Special Provision (BDC(31)) Zone to remove the holding (h) and (h-206) provisions. (2018-D09)

Motion Passed

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

6. Building Division Monthly Report for November 2017

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

Motion Passed

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

7. Proposed Regulations Promoting Affordable Housing Act 2016 (Inclusionary Zoning)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the proposed *Regulations Promoting Affordable Housing Act 2016* (Inclusionary Zoning):

- a) the staff report dated January 22, 2018, entitled "Information Report - Proposed Regulations Promoting Affordable Housing Act, 2016 (Inclusionary Zoning)" BE RECEIVED; and,
- b) the staff report dated January 22, 2018, entitled "Information Report - Proposed Regulations Promoting Affordable Housing Act, 2016 (Inclusionary Zoning)" BE FORWARDED to the Ministry of Municipal

Affairs for consideration in response to the Environmental Bill of Rights (EBR) posting of the proposed regulation; it being noted that the Municipal Council wishes to highlight the following concerns:

- i) purpose-built rental projects would be exempt from any inclusionary zoning by-law; it being noted that this exemption would eliminate a large portion of London's potential affordable housing supply;
- ii) unless part of a Community Permit Planning System, a municipal financial contribution is required for every affordable unit to be created; it being noted that this contribution would be the equivalent of 40% of the difference between the average market price and the affordable price of the affordable units; it being further noted that given that the total number of affordable housing units that could be developed as a result of inclusionary zoning, and the difference between the average market price and affordable price of affordable housing has not yet been calculated, there could be significant financial implications to the City in implementing inclusionary zoning; also noting that it is also important to note that inclusionary zoning regulations from other jurisdictions does not generally include any provision for municipal incentives or contributions;
- iii) the maximum unit set aside is 5% (10% if located at an identified transit station), which is much lower than the general 10-20% set aside in other jurisdictions;
- iv) the proposed regulations are silent on matters of standards of design, unit size, energy efficiency, etc. as noted in the City's previous submission; it being noted that by not specifying minimum standards of design, unit size, etc., affordable housing units could be developed at a lower standard than the prevailing community standard with respect to such matters as materials and appearance and qualities of finishes and/or smaller unit sizes not consistent with the prevailing development pattern;
- v) the affordable units required to be provided as part of a development may be permitted to be located off-site, to be constructed within 36 months of the transfer of the affordable units from the proposed development; it being noted that it is not known how these off-site units could be provided if they were not developed within the 36 month period after the development requiring the units was completed, nor is there any direction regarding "in proximity to"; it being further noted that this could also result in a concentration of affordable housing units, rather than a distribution across the community to provide for integrated and inclusive communities;
- vi) the agreements to implement Inclusionary Zoning will require significant staff resources to develop and administer; and,
- vii) Bonus Zoning and Inclusionary Zoning be considered as complimentary to allow a developer to build units using bonus zoning as well as units using Inclusionary Zoning to increase the number of affordable housing units. (2018-S11)

Motion Passed

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

III. SCHEDULED ITEMS

8. Property located at 3 Glenroy Road (Z-8833)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application by Bradley Linton, relating to the property located at 3 Glenroy Road, the proposed by-law appended to the staff report dated January 22, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 30, 2018 to amend Zoning By-law No. Z-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Convenience Commercial (CC) Zone TO a Convenience Commercial Special Provision (CC6(_)) Zone;

it being 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 and find it is consistent with the Provincial Policy Statement and conforms with the existing Official Plan policies that apply to the subject site;
- there are some inconsistencies with existing zoning to The London Plan as The London Plan requires commercial uses on the site to be in conjunction with residential uses and existing zoning does not permit residential uses;
- the recommended Zoning By-law amendment would bring the zoning permissions closer to conformity with The London Plan as the expanded range of permitted uses would include dwelling units;
- the existing convenience commercial plaza has achieved a measure of compatibility with the surrounding neighbourhood and this expanded range of permitted uses is not anticipated to have adverse effects on the surrounding neighbourhood given that the uses are limited to the existing plaza; and,
- an Official Plan amendment is not required as the recommended Zoning By-law amendment complies with the 1989 Official Plan which is currently in-force and effect. (2018-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)

9. Property located at 660 Sunningdale Road East - Applewood Subdivision (39T-09501/Z-8818)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the revised Draft Plan of Subdivision and Zoning By-law Amendment applications by Extra Realty Limited, relating to the property located at 660 Sunningdale Road East, located on the northwest corner of Sunningdale Road East and Adelaide Street North (legally described as the South Half of Lot 13, Concession 6, (Geographic Township of London)):

- a) the proposed by-law appended to the staff report dated January 22, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 30, 2018 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•h-173•R1-5(11) Zone, a Holding Residential R4 Special Provision (h•h-100•h173•R4-2(1)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h•h-100•h-173•R5-2(15)/R6-4(16)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h•h-100•h-173•R5-2(16)/R6-4(17)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision/R8 Special Provision (h• h-100•h-173•R5-4(16)/R6-5(36)/R8-4(25)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision/R8 Special Provision (h•h-100•h-173•R5-4(17)/R6-5(34)/R8-4(26)) Zone, a Holding Residential R5 Special Provision/R6 Special

Provision/R8 Special Provision (h•h-100•h-173•R5-6(9)/R6-5(38)/R8-4(27)) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(7)•D75•H18) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(8)•D75•H18) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(9)) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(10)) Zone, and an Open Space (OS1) Zone TO:

- a Holding Residential R1 (h•h-100•h-173•R1-3) Zone to permit single detached dwellings with a minimum lot area of 300 m² and minimum lot frontage of 10 metres;
- a Holding Residential R1 Special Provision (h•h-100•h-173•R1-4(27)) Zone to permit single detached dwellings with a minimum lot area of 360 m² and minimum lot frontage of 12 metres, with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, and a reduced interior side yard setback of 1.2 metres;
- a Holding Residential R1 Special Provision (h• h-100•h-173•R1-5(12)) Zone to revise the required rear yard dwelling setback to 13.8 metres;
- a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(7)•D75•H18) Zone to add a special provision to prohibit dwelling units on the first floor;
- a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(8)•D75•H18) Zone to add a special provision to prohibit dwelling units on the first floor, to add new regulations related to existing barns, and to add regulations related to height, orientation of entrance, front yard setback and gross floor area for any new buildings;
- a Holding Business District Commercial Special Provision/ Temporary (h•h-100•h-173•BDC2(9)*H18/T-(___)) Zone to add a special provision to prohibit dwelling units on the first floor, to add a maximum height of 18 metres and to permit BDC uses on a temporary basis within the existing dwelling as of the date of passing of the by-law;
- a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(10)*H18) Zone to add a special provision to prohibit dwelling units on the first floor and to add a maximum height of 18 metres; and,
- an Open Space (OS1) Zone to permit conservation lands and works, public and private parks and public and private golf courses;

the following holding provisions have also been applied:

- (h) holding provision - to ensure that there is orderly development through the execution of a subdivision agreement;
- (h-100) - to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available; and,
- (h-173) - to ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-173 shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London;

b) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for revised draft plan of subdivision by Extra Realty Limited, relating to the property located at 660 Sunningdale Road East, with respect to:

- i) a request to remove Condition 16 in its entirety; and,
- ii) concerns relating to residential units being prohibited on the ground floor of the Business District Commercial zones;

- c) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed revised plan of residential subdivision, submitted by Extra Realty Limited (File No. 39T-09501), prepared by Zelinka Priamo Limited, Project No. SRG/LON/11-01, as red-line amended, which shows a revised draft plan of subdivision consisting of 39 low density blocks (Blocks 1-39), four (4) medium density residential blocks (Blocks 40-44), two (2) commercial blocks (Blocks 46-47), two (2) commercial/mixed use residential blocks (Blocks 48-49), three (3) open space blocks (Blocks 49-51), eight (8) parkland and walkway blocks (Blocks 52-59), one (1) stormwater management block (Block 60), one (1) road widening block (Block 61), six (6) 0.3 m reserve blocks (Blocks 62-67), all served by one (1) primary collector road (Blackwater Road), one (1) secondary collector road (Street "D"/Superior Drive) and ten (10) new local streets SUBJECT TO the revised conditions contained in Appendix "B" appended to the staff report dated January 22, 2018; and,
- d) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated January 22, 2018 as Appendix "C";

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

- a communication dated January 9, 2018 from A. J.M. Ferreira, Ferreira Law; and,
- a communication dated January 12, 2018 from P.V. Hinde, Principal, Tanfield Consulting Ltd.;

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 proposed draft plan is consistent with the Provincial Policy Statement which encourages appropriate residential intensification;
- the proposed draft plan is consistent with the *Planning Act*;
- the proposed draft plan is consistent with the Uplands North Area Plan and the Official Plan; and,
- the recommended redline revised plan and Zoning By-law amendments encourage the development of a plan of subdivision draft that includes many placemaking elements, and creates a mixed use, pedestrian oriented development with parks and open space as key focal points. (2018-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)

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

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application by Southside Group, relating to the properties located at 940 and 956 Wharncliffe Road South:

- a) the proposed by-law appended to the staff report dated January 22, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 30, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM an Urban Reserve (UR4) Zone TO a Restricted Service Commercial Special Provision (RSC1/RSC2/RSC3/RSC4(_)) Zone; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider providing enhanced landscaping between the abutting residential zones and any future uses on the subject site 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 recommendation is consistent with Provincial Policy Statement 2014;
- the recommendation is consistent with the Auto Oriented Commercial Corridor designation of the Official Plan;
- the recommendation is consistent with the North Longwoods Community Plan and Southwest Area Plan;
- The recommendation provides for an appropriate range of permitted uses on the subject site for future development;
- The required setback between the abutting residential zones ensures the existing developments will have a sufficient buffer between potential future uses and maintain their privacy; and,
- The proposed uses are in keeping with the future Commercial Industrial place type of the London Plan. (2018-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)

11. Properties located at 1090, 1092 and 1096 Hamilton Road (Z-8827)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application by Italian Seniors Project, relating to the properties located at 1090, 1092 and 1096 Hamilton Road:

- a) the proposed by-law appended to the staff report dated January 22, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 30, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject properties FROM a

Residential R1 (R1-6) Zone TO a Holding Residential R8 Special Provision (h-_*R8-4(_)) Zone; and,

b) the Site Plan Approval Authority BE REQUESTED to consider the following design and engineering issues through the site plan approval process:

- i) the provision of a 1.8 metre high board-on-board privacy fence along the perimeter of the subject lands shared with adjacent properties;
- ii) the provision for outdoor lighting fixtures within parking areas that will minimize light trespass onto adjacent properties;
- iii) maximize tree preservation and retention on the subject lands;
- iv) address concerns raised through the community engagement process about the potential for reflection or amplification of road traffic noise on adjacent properties;
- v) the provision of the following road traffic noise mitigation measures as per the recommendations of the accepted Noise Feasibility Study, prepared by Howe Gastmeier Chapnik (“HGC”) Limited, dated August 21, 2017, and the recommendations of City Staff be included in the Site Plan and Development Agreement:
 - A) central air conditioning be required and the location, installation and sound rating of outdoor condensing units be compliant with MOECC Guideline NPC-300;
 - B) building and double glazed window construction be provided meeting the minimum requirements of the Ontario Building Code for adequate sound installation for the building; and
 - C) the inclusion of noise warning clauses in the property and tenancy agreements and offers of purchase and sale stating:

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment and Climate Change”; and “This unit has been supplied with a central air conditioning system which allows windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the noise criteria of the Municipality and the Ministry of the Environment and climate Change”;

the following wording be added to the noise warning clauses:

“The City of London assumes no responsibility for noise issues which may arise from existing or increased traffic on Hamilton Road as it relates to interior or exterior living areas within this development. The City of London will not be responsible for constructing any form of noise mitigation for this development.”; and,

the following wording be added to the clauses within the Development Agreement:

“Prior to the issuance of a building permit, the Owner shall have the plans for all dwelling units reviewed and certified by a qualified acoustical engineer licensed in the Province of Ontario, before building

permits are issued, to ensure that they incorporate the recommended indoor and outdoor noise control measures outlined in the accepted noise study prepared by HGC Limited and dated August 21, 2017”; and “The Owner’s qualified acoustical consultant and architect shall, upon completion of construction of the accepted noise abatement measures and prior to issuance of occupancy permits, certify the work has been carried out in accordance with the accepted noise study”;

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 recommended amendment is consistent with the 2014 Provincial Policy Statement which encourages intensification in appropriate locations where it can be accommodated. The PPS also encourages a range and mix of land uses, and directs municipalities to permit all forms of housing required to meet the needs of current and future residents, including affordable housing and special needs requirements;
- the recommended amendment conforms to the 1989 Official Plan, and will implement the residential intensification policies of the “Low Density Residential” designation that contemplate residential intensification in the form of low-rise apartments up to 75 units per hectare. The recommended amendment will provide for housing choice and a range of housing types encouraged by the Official Plan;
- the recommended amendment is consistent with the policy direction in The London Plan which contemplates low-rise apartments at this location and provides for residential intensification in the “Neighbourhoods” Place Type where it’s appropriately located and fits with the receiving neighbourhood. The recommended amendment will provide for housing choice and a range of housing types encouraged by The London Plan;
- the subject site is an appropriate size and configuration to accommodate the proposed use in keeping with most of the standard Residential R8 Zone regulations. The recommended special provision to recognize a reduced front yard depth results from the required road widening dedication along Hamilton Road, and good urban design practice of maintaining the building-line established by existing adjacent buildings; and,
- the recommended reduction in the minimum number of required parking spaces is relatively modest given the total number of parking spaces to be provided; on or off-site impacts are not expected to result with any regularity. (2018-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)

12. 2nd Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 2nd Report of the London Advisory Committee on Heritage (LACH) from its meeting held on January 10, 2018:

- a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the request for the demolition of a heritage designated property located at 467-469 Dufferin Avenue, within the East Woodfield Heritage Conservation District:
- i) the demolition request BE REFUSED; and,
 - ii) the Managing Director, Development and Compliance Services and Chief Building Official BE ADVISED of Municipal Council's intention in this matter;

it being noted that the London Advisory Committee on Heritage (LACH) received presentations from K. Gonyou, Heritage Planner and L. Lansink, Marigold Homes Inc., and heard a verbal delegation from G. Warren, Woodfield Community Association, with respect to this matter; it being further noted that the LACH Stewardship Sub-Committee supports the refusal of the request based on the research completed (and ongoing) substantiating that this is an historically significant property, worthy of protection;

- b) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to erect a new building on the property located at 69 Wilson Avenue, within the Blackfriars-Petersville Heritage Conservation District, BE PERMITTED as proposed in the submitted drawings, as appended to the staff report dated January 10, 2018, and modified in compliance with the following terms and conditions:
- retaining existing upper window opening on west elevation and infill with new windows as noted on lower window on elevation;
 - creating 2 smaller gables positioned over and scaled properly to frame 2 upper south facing windows, with detailing as shown on elevation;
 - all exterior cladding, trim and details to be of fibreboard, or wood primed and painted within a period of 9-months from the issuance of the Heritage Alteration Permit;
 - the rear parking to be screened with painted wood fence and to incorporate two single track driveways with turf installed between the gaps and/or permeable paving; and,
 - the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the London Advisory Committee on Heritage (LACH) also encourages the applicant to:

- install an additional window on the south façade of the second storey;
- add definition between the existing building and the proposed addition on the south façade; and,
- use wood windows throughout the building;

it being further noted that the LACH received the presentation from L. Dent, Heritage Planner and heard verbal delegations from A. Nizamis, on behalf of the applicant, and J. McCarthy, Blackfriars Neighbourhood Association, with respect to this matter;

- c) the London Advisory Committee on Heritage (LACH) 2018 membership with the Community Heritage Ontario BE APPROVED; it being noted that the LACH has sufficient funds in its 2018 Budget to cover the \$75.00 renewal fee; and,

- d) clauses 1 to 3, 6, 7, 9 to 11, BE RECEIVED.

Motion Passed

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

13. Properties located at 467-469 Dufferin Avenue, East Woodfield Heritage Conservation District - Request for Demolition

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, relating to the request for the demolition of a heritage designated property located at 467-469 Dufferin Avenue, within the East Woodfield Heritage Conservation District, the following actions be taken:

- a) the staff report dated January 22, 2018, entitled "Request for Demolition of Heritage Designated Property at 467-469 Dufferin Avenue, East Woodfield Heritage Conservation District by: Marigold Homes Inc." BE RECEIVED for information;
- b) the demolition request BE REFUSED; and,
- c) the Chief Building Official BE ADVISED of Municipal Council's intention in this matter;

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

- a communication dated January 5, 2018 from D. Lindsay, 510 Princess Avenue;
- a communication dated January 8, 2018 from M. Apthorp, 519 Maitland Street;
- a communication from B. Moon, by e-mail;
- a communication dated January 4, 2018 from D. Byrne, by e-mail; and,
- a communication dated January 17, 2018 from M. Bloxam, President, London Region Branch, Architectural Conservancy of Ontario;

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. (2018-P10D/R01)

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)

14. Planning for Supervised Consumption Facilities and Temporary Overdose Prevention Sites (OZ-8852)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to planning for supervised consumption facilities and temporary overdose prevention sites:

- a) the staff report dated January 22, 2018, entitled "Planning For Supervised Consumption Facilities and Temporary Overdose Prevention Sites" BE RECEIVED for information;
- b) the proposed revised, attached by-law BE INTRODUCED at the Municipal Council meeting to be held on January 30, 2018 to establish a new Council Policy entitled "Planning for Supervised Consumption Facilities and Temporary Overdose Sites";
- c) the Council Policy, noted in b) above, BE FORWARDED to the Middlesex London Health Unit, requesting their consideration of the policy when planning for, or applying for, supervised consumption facilities or temporary overdose prevention sites in London;
- d) the Council Policy, noted in b) above, BE FORWARDED to the Ministry of Health and Long Term Care, requesting their consideration of the policy when evaluating applications for temporary overdose prevention sites;
- e) the Council Policy, noted in b) above, BE FORWARDED to Health Canada, requesting their consideration of the policy when evaluating applications for supervised consumption facilities in London; and,
- f) 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 supervised consumption facilities and temporary overdose prevention sites; it being noted that a draft Official Plan policy and Zoning By-law regulations Appendix "C" and Appendix "D", respectively appended to the staff report dated January 22, 2018;

it being noted that the Planning and Environment Committee received the attached presentation from Dr. Chris Mackie, Middlesex London Health Unit, with respect to this matter. (2018-S08/D09)

Motion Passed

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

RECUSED: S. Turner (1)

Motion to extend the delegation time to 15 minutes.

Motion Passed

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

RECUSED: S. Turner (1)

IV. ITEMS FOR DIRECTION

15. 2nd Report of the Advisory Committee on the Environment

That, the following actions be taken with respect to the 2nd Report of the Advisory Committee on the Environment (ACE) from its meeting held on January 10, 2018:

- a) D. Szoller BE APPOINTED to the Urban Agriculture Steering Committee as the Advisory Committee on the Environment representative, as per the Terms of Reference for the Urban Agriculture Steering Committee; and,
- b) clauses 1 to 7 and 9 to 13, BE RECEIVED.

Motion Passed

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

16. Brownfield CIP Incentives – Properties located at 32, 36 and 40 York Street

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application made under the Community Improvement Plan for Brownfield Incentives and business case submission received from Tricar Properties Limited (“Tricar”), relating to the properties located at 32, 36, and 40 York Street:

- a) a total expenditure of up to a maximum of \$192,000 in municipal brownfield financial incentives BE APPROVED AND BE ALLOCATED under the Tax Increment Equivalent Grant Program in the Community Improvement Plan (CIP) for Brownfield Incentives;
- b) the Managing Director, Planning and City Planner BE DIRECTED to process the brownfield incentive application to provide for eligibility for tax increment equivalent grants for up to three years for the development project under the Brownfields CIP and up to the full 10 year term of the Tax Increment Grant Program of the Downtown CIP for the project; and,
- c) the applicant BE REQUIRED to enter into an agreement with the City of London outlining the relevant terms and conditions for the incentives that have been approved by Municipal Council under the Brownfield CIP;

it being noted that the agreement between the City of London and Tricar will be transferable and binding on any subsequent property owner(s). (2018-D19)

Motion Passed

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

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

17. Deferred Matters List

That the Managing Director, Planning and City Planner and the Managing Director, Development and Compliance Services & Chief Building Official BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration.

Motion Passed

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

18. (ADDED) 1st Report of the Agricultural Advisory Committee

That, the following actions be taken with respect to the 1st Report of the Agricultural Advisory Committee from its meeting held on January 17, 2018:

- a) the Chair of the Agriculture Advisory Committee (AAC) BE REQUESTED to draft a letter to the Hon. J. Leal, Ministry of Agriculture, Food and Rural Affairs with respect to when Ontarians can expect consultation opportunities related to *The Bees Act*; it being noted that the letter will be provided for the March agenda of the AAC, for review;
- b) the revised 2018 Work Plan for the Agriculture Advisory Committee (AAC) appended to the 1st Report of the AAC BE FORWARDED to the Municipal Council for consideration;
- c) S. Franke BE APPOINTED to the Urban Agriculture Steering Committee as the Agriculture Advisory Committee representative, as per the terms of reference for the Urban Agriculture Steering Committee; and,
- d) the forwarding of the following comments of the Agriculture Advisory Committee (AAC) with respect to the communication dated January 15, 2018 from J. Matthews, Dillon Consulting Limited appended to the 1st Report of the AAC regarding the Notice of Public Information Centre 3 related to Highway 401 and 4 (Colonel Talbot Road) Interchange

Improvements and Highway 4 and Glanworth Drive Underpass Replacements, to Dillon Consulting Limited, BE APPROVED:

- i) the AAC is very concerned about safety with regards to any proposal that results in the closure of the Glanworth Drive Overpass;
 - ii) noting that Glanworth Drive is a major east/west route for farm equipment traversing the south end of the City; it being noted that the area is heavily cash cropped which requires larger than average equipment; and,
 - iii) the AAC would like to see any final proposal accepted by the Ministry of Transportation to include the continuing maintenance and use of the Glanworth Drive Overpass; and,
- e) clauses 1 to 5 BE RECEIVED.

Motion Passed

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

VI. ADJOURNMENT

The meeting adjourned at 8:25 PM.