

23RD REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on September 24, 2012, commencing at 4:06 PM, in the Council Chambers, Second Floor, London City Hall.

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

ALSO PRESENT: Mayor J.F. Fontana, Councillors S. Orser and H.L. Usher, G. Barrett, S. Bellaire, B. Bergsma, J. Braam, P. Christiaans, M. Corby, B. Debbert, A. Dunbar, M. Elmadhoon, J.M. Fleming, T. Grawey, P. Kokkoros, G. Kotsifas, B. Krichker, J. Leunissen, E. Ling, D. Menard, C. Parker, J. Ramsay, R. Sharpe, J. Shaughnessy and M. Tomazincic.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That it **BE NOTED** that:

- a) Councillor B. Polhill disclosed a pecuniary interest in clause 20 of this Report having to do with the application of Shana'a Holdings Inc. relating to the property located at 260 Sarnia Road, as the application may have been dealt with by the Committee of Adjustment, by indicating that his son is a member of the Committee of Adjustment; and,
- b) Councillor J.P. Bryant disclosed a pecuniary interest in clause 20 of this Report having to do with the application of Shana'a Holdings Inc. relating to the property located at 260 Sarnia Road, by indicating that her husband is employed by The University of Western Ontario.

II. CONSENT ITEMS

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

Recommendation: That the 2nd Report of the Advisory Committee on the Environment from its meeting held on September 5, 2012, **BE RECEIVED**.

3. Implementation of New Trail Standards in Environmentally Significant Areas

Recommendation: That, on the recommendation of the Managing Director of Planning and City Planner, the application of the new "Planning and Design Standards for Trails in Environmentally Significant Areas" for current and proposed ESA planning projects, **BE RECEIVED**; it being noted that the Trails Advisory Group for Environmentally Significant Areas Terms of Reference was amended to change the reference to the City Ecologist and the City Landscape Architect from Voting Members to Non-Voting Resource Group members; it being further noted that one (1) representative from a Friends Group was included as a Voting Member; it being further noted that the Planning and Environment Committee reviewed and received a communication, dated September 23, 2012, from G. Smith, Friends of Meadowlily Woods Community Association, with respect to this matter. (2012-E04-00)

4. McCormick Area Study (OZ-7601)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the report dated September 24, 2012, with respect to the McCormick Area Study, related to the lands generally bounded by Canadian Pacific Railway to the north, Quebec Street and Burbrook Place to the west, Dundas Street to the south and Ashland Avenue and McCormick Boulevard along the east, **BE RECEIVED**. (2012-D07-00)

5. Property located at 995 Fanshawe Park Road West (39T-05512/H-8089)

Recommendation: That, on the recommendation of the Senior Planner, Development Services and the Senior Planner, Development Planning, the following actions be taken with respect to the request from Landea Developments Inc. for the property located at 995 Fanshawe Park Road West:

- a) the Approval Authority **BE ADVISED** that the Municipal Council supports granting a 3 year extension of the draft plan of subdivision, submitted by Landea Developments Inc. (File No. 39T-05512), prepared by Whitney Engineering Inc., certified by Jason Wilband (Drawing No. 2), which shows twenty (20) low density residential blocks, two (2) multi-family blocks, one (1) commercial block, two (2) stormwater management blocks and various reserve blocks, served by one (1) new collector roads and four (4) new local streets, **SUBJECT TO** the revised conditions contained in the attached Appendix "39T-05512";
- b) the financing for the project **BE APPROVED** in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-05512-A' to the associated staff report, dated September 24, 2012;
- c) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 995 Fanshawe Park Road West **FROM** a Holding Residential R1 Special Provision (h. h-100 R1-3(8)) Zone and a Holding Residential R1 (h. h-100 R1-13) Zone **TO** a Residential R1 Special Provision (R1-3(8)) and a Residential R1 (R1-13) Zone, to remove the h. and h-100 holding provisions; and,
- d) the application to change the zoning of a portion of the subject lands **FROM** a Holding Residential R1 (h. h-100. R1-13) Zone **TO** a Residential R1 (R1-13) Zone, to remove the h. and h-100 holding provisions from lots 13-29 **BE DEFERRED** until such time as the easement in favour of the City has been removed from these lots. (2012-D26-04)

6. Property located at 1196 Sunningdale Road West (39T-05511)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Clarke Family Holdings Inc. c/o Landea Developments Inc., for the property located at 1196 Sunningdale Road West:

- a) the Approval Authority **BE ADVISED** that the Municipal Council supports granting a 3 year extension of the draft plan of subdivision, submitted by Clarke Family Holdings c/o Landea Developments Inc., prepared by Whitney Engineering, certified by Bruce Baker, File No. 39T-05511, (Drawing no. 3), as red-line amended, which shows a total of twenty-five (25) low density residential blocks, three (3) park blocks, one (1) stormwater management block and various reserve blocks, served by two (2) new collector roads and four (4) new local streets, **SUBJECT TO** the revised conditions contained in the attached Appendix "39T-05511"; and,
- b) the financing for the project **BE APPROVED** in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-05511-A' to the associated staff report, dated September 24, 2012. (2012-D26-01)

7. Properties located at 1284 and 1388 Sunningdale Road West and the Northerly Portion of 1139 Fanshawe Park Road West (39T-04510)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Auburn Developments Inc., for the properties located at 1284 and 1388 Sunningdale Road West and the northerly portion of 1139 Fanshawe Park Road West:

- a) the Approval Authority **BE ADVISED** that the Municipal Council supports granting a 3 year extension of the draft plan of subdivision, submitted by Auburn Developments Inc. (File 39T-04510), prepared by Auburn Developments Inc., prepared by Stantec Consulting Inc., certified by Jeremy C. E. Matthews (Drawing No. DP2, dated March 31, 2009), as red-line amended, which shows thirty (30) low density residential blocks, three (3) medium density residential blocks, three (3) park blocks, one (1) stormwater management block, walkway blocks and various reserve blocks, served by two (2) new collector roads and ten (10) new local streets, **SUBJECT TO** the revised conditions contained in the attached Appendix "39T-04510"; and,
 - b) the financing for the project **BE APPROVED** in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-04510-A' to the associated staff report, dated September 24, 2012. (2012-D26-01)
8. Property located at 1139 Fanshawe Park Road West (39T-04503)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Claybar Developments Inc, for the property located at 1139 Fanshawe Park Road West:

- a) the Approval Authority **BE ADVISED** that the Municipal Council supports granting a 3 year extension of the draft plan of subdivision, submitted by Claybar Developments Inc. (File 39T-04503), prepared by Stantec Consulting Inc., certified by Jeremy C.E. Matthews, as red-line amended, which shows a total of twenty-three (23) low density residential blocks, one (1) medium density residential block, one (1) high density residential block, one (1) commercial block, three (3) school blocks, walkway and various reserve blocks, served by one (1) new collector road and five (5) new local streets, **SUBJECT TO** the revised conditions contained in the attached Appendix "39T-04503"; and,
 - b) the financing for the project **BE APPROVED** in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-04503-A' to the associated staff report, dated September 24, 2012. (2012-D26-01)
9. Claybar Subdivision - Phase 2 (39T-04503-2)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Claybar Developments Inc., for the subdivision of land over Part of Lot 23, Concession 5, City of London, County of Middlesex, situated on the north side of Tokala Trail, west of Aldersbrook Gate, and north of Fanshawe Park Road West.

- a) the attached Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Claybar Developments Inc. for the Claybar Subdivision, Phase 2 (39T-04503-2), **BE APPROVED**;
- b) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all related documents required to fulfill its conditions; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-99515-A' to the associated staff report, dated September 24, 2012. (2012-D26-01)

10. Warbler Woods Subdivision (39T-04507 and 39T-08506)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited, which was registered on the 14th day of December, 2011 as Instrument Number ER801293 for the Warbler Woods Subdivision:

- a) the attached Subdivision Amendment Agreement, relating to the subdivision agreement entered into between The Corporation of the City of London and Sifton Properties Limited for the Hopedale/Warbler Woods West (Phase 2) subdivision on Plan 33M-638, **BE APPROVED**; and,
- b) the execution of the above-noted Amending Agreement **BE DEFERRED** until such time that the Municipal Class EA Schedule "C" Environmental Study Report (ESR) for the Tributary 'C' Storm/Drainage and SWM, Transportation and Sanitary Servicing Works is accepted and the 30 day review period has expired. (2012-D26-05)

11. Riverbend Meadows Phase 3 (39T-10504)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Pemic Land Corp. and Sifton Properties Limited for the subdivisions of land over all of Block 48, Plan 33M-549, City of London, County of Middlesex, situated on the east side of Riverbend Road, north of Shore Road, municipally known as 1480 Riverbend Road:

- a) the attached Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Pemic Land Corp. and Sifton Properties Limited for the Riverbend Meadows Subdivision, (39T-10504), **BE APPROVED**;
- b) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all related documents required to fulfill its conditions; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Estimated Claims and Revenues Report" and the "Sources of Financing Report" provided as Appendix '39T-99515-A' and 'Schedule "B"', to the associated staff report, dated September 24, 2012. (2012-D26-05)

12. Fencing Standards in Plans of Subdivision

Recommendation: That, on the recommendation of the Manager, Development Services, the following actions be taken with respect to fencing standards in plans of subdivision:

- a) the attached form of standard Amending Agreement with respect to fencing standards in plans of subdivision, **BE APPROVED**; it being noted that the Agreement will be applied to subdivisions 33M-458, 33M-494, 33M-562, 33M-601, and 33M-602, to resolve the matter of substandard parkland fencing installation;
- b) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Amending Agreement and all documents required to fulfill its conditions;
- c) Southside Group **BE REQUESTED** to provide the Civic Administration with \$39,982.00 to complete the Agreement; it being noted that these funds will be deposited into a deferred revenue account for future use to offset the cost of replacing the parkland fence installed earlier than the current standard practice; and,

- d) Sifton Properties Limited **BE REQUESTED** to provide the Civic Administration with \$30,190.00 to complete the Agreement; it being noted that these funds will be deposited into a deferred revenue account for future use to offset the cost of replacing the parkland fence installed earlier than the current standard practice. (2012-D26-00)

13. Building Division Monthly Report for August 2012

Recommendation: That the Building Division Monthly Report for August 2012 **BE RECEIVED**. (2012-D05-00)

III. SCHEDULED ITEMS

14. 2nd Report of the London Advisory Committee on Heritage

Recommendation: 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 September 12, 2012:

- a) the Civic Administration **BE ASKED** to provide the Planning and Policy Sub-Committee (PPSC) with a list of vacant heritage properties, as outlined in the 2006 *Inventory of Heritage Resources*, to allow the PPSC to provide comments to the LACH at a future meeting;
- b) the Civic Administration **BE ASKED** to provide written interpretation on Section 34(2) of the *Ontario Heritage Act*, with respect to the types of conditions that can be imposed when Municipal Council consents to a demolition application, including future site plan approval;
- c) the Civic Administration **BE ASKED** to review the attached Solar Panel Guidelines for Designated Heritage Properties, for use as an official City of London guideline document;
- d) the Stewardship Sub-Committee **BE REQUESTED** to prepare Statements of Significance for all pioneer cemeteries that have not been designated;
- e) the Heritage Planner **BE REQUESTED** to work with the Westminster-Delaware Historical Society to identify and plaque the pioneer cemeteries that are located in the former Westminster Township;
- f) the Heritage Planner **BE REQUESTED** to forward the Statement of Significance, for the property located at 1170 Wilton Grove Road, to the owner for signature;
- g) the Stewardship Sub-Committee **BE REQUESTED** to review and report back to the LACH, with respect to the Priority 1 building located at 2332 Main Street, Lambeth, relating to the request for demolition for this property;
- h) the Stewardship Sub-Committee **BE REQUESTED** to review and report back to the LACH, with respect to the Priority 1 building located at 591 Maitland Street, relating to the request for demolition for this property;
- i) the London Advisory Committee on Heritage (LACH) was advised of the following by the Heritage Planner:
 - the London Public Library will be presenting an "Architecture in Film" series;
 - the "Freedom Tree" in Westminster Ponds is being renamed the "Meeting Tree" and Trees Ontario will be putting a plaque near the tree at a ceremony to be held in September, 2012; and,
 - Doors Open and Culture Days events have been combined and will be held the last weekend in September;

- j) on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of B. Iaboni, requesting permission for changes to the roof, façade, including painting some of the bricks around the window, and porch of the designated heritage property located at 642 Princess Avenue, **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alteration on the heritage features of the property identified in the Reasons for Designation is negligible; it being further noted that the LACH heard a verbal presentation from Mr. Iaboni, with respect to this matter; and,
- k) that clauses 5 through 15, inclusive, of the 2nd Report of the LACH, **BE RECEIVED AND NOTED**;

it being noted that the Planning and Environment Committee heard a verbal presentation from W. Kinghorn, Vice-Chair, LACH, with respect to these matters.

15. Property located at 4448 Colonel Talbot Road

Recommendation: That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application for a one floor commercial building by L'Arche London, relating to the property located at 4448 Colonel Talbot Road:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for site plan approval to permit a one floor commercial building;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the approval of the attached site plan elevations; and,
- c) the financing for the project **BE APPROVED** in accordance with the "Claims and Revenues Report", provided as Schedule "B" to the associated staff report, dated September 24, 2012. (2012-D25-00)

16. Property located at 1461 Huron Street

Recommendation: That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of London Affordable Housing Foundation for an apartment building with 25 one-bedroom units at 1461 Huron Street:

- a) the Approval Authority **BE ADVISED** that at the public participation meeting of the Planning and Environment Committee held with respect to this matter, issues were raised with respect to the timing of the removal of the holding provision as the contractor is eager to commence with the work;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the Site Plan application for an apartment building with 25 one bedroom units; and,
- c) the Civic Administration **BE ASKED** to prepare a report to remove the holding provisions at a special meeting of the Planning and Environment Committee to be held on Tuesday, October 9, 2012. (2012-D25-00/C03-00)

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

- G. Playford, on behalf of the applicant – expressing concern with the timing of the removal of the holding provisions; and requesting that a special meeting of the Planning and Environment Committee be held on October 9, 2012 to receive a report from the Civic Administration with respect to the removal of the holding provisions.

17. Properties located at 707 & 711 Waterloo Street (Z-8038)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of the City of London relating to the property located at 707 & 711 Waterloo Street, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012, 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 Special Provision/Neighbourhood Facility (R2-2(2)/NF1) Zone, which permits single detached dwellings (maximum two dwelling units), churches, elementary schools, community centres, day care centres, libraries, private schools, fire stations, private clubs and police stations, **TO** a Residential R2 Special Provision/Neighbourhood Facility Special Provision (R2-2(2)/NF1()) Zone, to permit single-detached, semi-detached, duplex and converted dwellings, elementary schools, churches, community centres, day care centres, libraries and private schools, eliminating the fires stations, private clubs, and police stations normally permitted in the NF1 Zone and to permit a north interior side yard of zero (0) metres;

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

- R. Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – expressing support for the Civic Administration’s recommendation; advising that this is a down zoning of the existing school site; indicating that the proposed amendments are expected by Montessori; and advising that the school supports the Civic Administration’s recommendation. (2012-D11-02)

18. Property located at 299 King Street (TZ-8066)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the London Convention Centre (City of London), relating to the property located at 299 King Street:

- a) the revised, attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), **TO** extend the Temporary (T-53) Zone, to recognize the temporary commercial surface parking lot as a permitted use for a period of three (3) years from the date of passing of the by-law;
- b) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** with respect to the proposed by-law as the proposed amendment is minor in nature; and,
- c) the Civic Administration **BE REQUESTED** to report back, to the appropriate Standing Committee, with respect to the following:
 - i) the organization responsible for paying for and maintaining the meters;
 - ii) how much revenue does the City receive from the meters; and,
 - iii) how the revenue is expended;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2012-D11-05)

19. Property located at 4551 Wellington Road South (OZ-7319)

Recommendation: That, the following actions be taken with respect to the application of Howard Darwin Enterprises Limited, relating to the property located at 4551 Wellington Road South:

- a) the attached proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012 to amend the Official Plan to change the designation of a portion of the subject lands **FROM** an Urban Reserve- Industrial Growth designation **TO** a Light Industrial designation, to permit a wide range of light industrial uses which involve assembling, fabricating, manufacturing, processing and/or repair activities which are located in enclosed buildings, require only a limited amount of outdoor storage and are unlikely to cause adverse effects with respect to air, odour or water pollution, or excessive noise levels;
- b) the attached proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012, to amend Zoning By-law No. 2000 (Former Town of Westminster) to delete the existing Industrial Holding (M2-H) Zone and remove the site from the By-law;
- c) the attached proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to apply a Holding Light Industrial Special Provision (h-5.h-17.h-18.h-55.h-103.LI1()/LI6()) Zone to the northeast corner of the subject property to permit bakeries, business service establishments, laboratories, manufacturing and assembly industries, support offices, research and development establishments, warehouse and wholesale establishments, custom workshop, brewing on premises establishments, service trades and industries including paper and allied products, pharmaceutical and medical products and printing, reproduction and data processing and building and contracting establishments, transport terminals and storage depots with special provisions to deal with outdoor storage, screening requirements and MOE D-6 Guidelines and subject to holding provisions to address servicing, archaeological assessment, traffic and urban design/site plan issues;
- d) the attached proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to apply a Holding Light Industrial Special Provision (h-2.h-5.h-17.h-18.h-55.h-103.LI1()/LI6()) Zone to the southeast portion of the property, permitting the same uses as above except for the addition of another holding provision requiring an EIS, to a part of the southerly portion of the subject property which includes lands between the regulatory floodline and lands at the EIS “trigger distance”, a total distance of approximately 50 metres from the stream corridor boundary;
- e) the attached proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, **BE INTRODUCED** at the Municipal Council meeting on October 9, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to apply an Open Space (OS4) Zone to the southwest portion of the subject property which includes lands below the regulatory floodline;

- f) the Site Plan Approval Authority **BE REQUESTED** to consider the design of the “streetface” along Wellington Road and enhanced landscaping along that street frontage because of the site’s location along a major entryway into the City;

it being noted that, upon the passing of the zoning by-law amendments in clauses a) to e), above, the applicant has agreed to withdraw their appeal to Zoning By-law No. Z-1-051390 (Annexed Area Zoning By-law Amendment) through the Ontario Municipal Board;

- g) the Civic Administration **BE ASKED** to prepare a by-law to add an OS4 () Special Provision Zone, to be applied to the lands beyond the 50m adjacent to Dingman Creek, **SUBJECT TO** the completion of an environmental impact statement (EIS) acceptable to the City, with the approval of the Upper Thames River Conservation Authority (UTRCA), to permit the parking of transport truck trailers in association with a permitted use in an adjacent LI zone to an elevation not greater than 0.5 metres below the Regulatory Flood Line, and to add a requirement for public site plan review to address matters of landscape, buffering, and the emission of noise, dust, odour and/or vibration, at a special meeting of the Planning and Environment Committee to be held on Tuesday, October 9, 2012; and,
- h) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the proposed amendment is minor in nature;

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

- R. Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – advising that the applicant has been trying to resolve the Westminster Zoning By-law appeal since January, 2007; advising that they have had good conversations with both Conservation Authorities; advising that the recommendation does not include the L1-4 Zone; noting that he understands the basis for the exclusions of this zone; indicating that this is a wide and shallow floodplain; recognizing that they are dealing with a one in 100 year floodplain; advising that the floodplain extends well into the applicant’s lands; advising that the applicant intends to utilize a section of the property for the storage of transport truck trailers which presents no hazard, no risk to human safety and no impact to the creek if it floods; and requesting the OS4 Zone, as it allows for the parking of the transport trailers on the property. (2012-D11-03)

20. Property located at 260 Sarnia Road (Z-8075)

Recommendation: That, notwithstanding the recommendation of the Manager Director, Planning and City Planner, based on the application of Shana’a Holdings Inc., relating to the property located at 260 Sarnia Road, the Civic Administration **BE DIRECTED** to submit a by-law to implement the applicant’s request to a future Planning and Environment Committee meeting, to build four (4) units, with three (3) bedrooms in each, to a maximum of twelve (12) bedrooms in total, increase the number of parking spaces and report back at a future Planning and Environment Committee meeting;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated September 17, 2012, from G. Kulczycki, Vice-President, Resources and Operations, Western, with respect to this matter;

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

- H. Froussios, Zelinka Priamo Ltd., on behalf of the applicant – advising that multiple attached dwellings are allowed; indicating that the applicant is allowed to build 27 units per hectare on this property; advising that residential intensification conforms to the City of London Official Plan; advising that this is not site specific zoning; indicating that the applicant is proposing to remove the existing dwelling and replace it with a new

dwelling; disagreeing with the Civic Administration's comments relating to the Provincial Policy Statement (PPS); noting that he believes that this application is consistent with the PPS; advising that this property is adjacent to Western University's new residential housing; indicating that the proposed development will meet the needs of couples and students; advising that there is currently access to municipal services and transit; advising that the subject site satisfies the zoning requirements; advising that no special regulations are being sought; indicating that in his opinion, the subject lands are underutilized; disagreeing with the Civic Administration's comments relating to the site not being unique within the surrounding established residential neighbourhood; advising that the property is located along an arterial road; indicating that he is waiting to hear the Ontario Municipal Board decision relating to the Near Campus Neighbourhood Strategy; indicating that this development is away from the interior of the low density area of the development; advising that the application is compatible to the site, as it functions as a transition between high and low density uses; advising that the proposal meets all of the requirements; advising that this is a unique situation and is not seen as a trigger for other development in this area; and requesting that a revised by-law be submitted at the October 15, 2012 Planning and Environment Committee meeting.

- M. Hyrb, 249 Neville Drive – advising that her property is immediately south of the proposed building; indicating that her house is a side-split; advising that the properties are all bungalows and side-splits in her neighbourhood; noting that there are no two-storey properties in the area; indicating that Western University's new student housing is enough in this area; indicating that this application opens the door for further development, especially along Sarnia Road; indicating that as soon as the property becomes a rental unit and the owner is not on site, things get out of hand, such as garbage and snow removal and noise; and expressing concern with the development, as students may not necessarily see it as a three or four bedroom unit, they may see six units, using the living room and dining room as bedrooms.
- A.R. Patton, Patton Cormier & Associates – advising that none of the issues presented by the Civic Administration were raised at pre-consultation; advising that the landlord is an experienced landlord; and advising that all the problems associated with this property were raised before his clients' ownership of the property. (2012-D11-07)

21. Property located at 754 Maitland Street (Z-8065)

Recommendation: That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, based on the application of Kapland Inc. relating to the property located at 754 Maitland Street, the Civic Administration **BE DIRECTED** to submit a report and a by-law to a future Planning and Environment Committee meeting to rezone the subject property to permit an additional three (3)-bedroom unit to be located within the existing structure; it being noted that this will provide for a maximum of eleven (11) bedrooms in the building;

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

- a communication from A. Kaplansky, applicant; and,
- the Planning Justification Report, dated June 6, 2012, from Zelinka Priamo Ltd.;

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

- R. Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – indicating that he takes issue with most of the Civic Administration's comments in their presentation; answering the enquiry of how many bedrooms there are; noting that there are currently four bedrooms in the existing units; advising that the floor plan can only hold four more units; further noting that the building will not accommodate five units, which is the maximum allowed; indicating that the Provincial Policy Statement requires the Civic

Administration to identify and accommodate development; advising that the intensification can be undertaken without changes to the exterior of the building or adding additional parking; indicating that the City should follow the Provincial Policy Statement; advising that the Planning and Environment Committee was advised that the current zoning in the area is appropriate; indicating that this neighbourhood used to have R-4 Zoning, which is why there are a lot of legal non-conforming properties in the area; advising that, within this area, there is a good mix of housing forms; advising that the R2-2 Zone does not show the character of the area; advising that the applicant's property is located between a threeplex and a fiveplex; advising that spot zoning comes across as two bad works; indicating that there is no need for a site plan meeting on this site as this site isn't changing; indicating that there is adequate parking on the site; and requesting that the Planning and Environment Committee approve the application as it clearly meets the intent of the Provincial Policy Statement and the Official Plan.

- A. Kaplansky, applicant – advising that there were two houses for sale and the deal was jeopardized. (2012-D11-04)

22. Residential Intensification in Flood Plains in the City of London

Recommendation: That the communication, dated September 12, 2012 and the verbal presentation from J. Brick, Coordinator, Hydrology and Regulatory Services, Upper Thames River Conservation Authority, with respect to the Planning and Environment Committee recommendation relating to residential intensification in flood plains in the City of London, **BE RECEIVED**. (2012-E07-00)

23. Property located at 199 Queens Avenue

Recommendation: That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the application of S. Farhi relating to the demolition of the Priority 2 heritage property located at 199 Queens Avenue, **BE DEFERRED** to the November 26, 2012 Planning and Environment Committee meeting, to allow the Civic Administration, the applicant and the applicant's architects, to review opportunities to incorporate all, or portions of the Priority 2 building, into the future redevelopment of the site; it being noted that the applicant has agreed to this deferral;

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

- a communication from G. Hodder, President, ACO London Region; and,
- a communication from S. Farhi, Farhi Holdings Corporation;

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

- S. Farhi, Farhi Holdings Corporation, applicant – indicating that he is the #1 friend to heritage restoration in Southwestern Ontario; indicating that for his property located at 215 Dundas Street, he has a prospective tenant, but the tenant requires 40 parking spaces; advising that he can no longer use the parking in Citi Plaza, as it is being used by the tenants in the Plaza; indicating that he currently needs approximately 360 parking spots; advising that he owns approximately 50,000 to 100,000 square feet in heritage buildings; indicating that his proposed development will cost over \$50,000,000 to build; indicating that this will give the City over \$1,000,000 in taxes; advising that he is trying to bring heritage buildings to life; advising that this development will assist with parking; advising that the downtown is short 1,400 parking spaces; and, advising that sometimes you need to sacrifice one building to save others.
- T. Tillman, Tillman, Ruth, Robinson Architects – advising that Mr. Farhi contacted them one and a half months ago to determine what could be built at this location; indicating that they are proposing to build a 23-storey tower, with three-storey townhouses, parking in the rear, a ramp for parking below grade; advising that they are incorporating good urban design practices; indicating that they hope to have 5,000 to 6,000 square

feet of retail space; advising that brick will be used as a major cladding material, both red-orange and charcoal, to fit into the surrounding areas; advising that the front doors of the proposed residences will face along Queens Avenue; indicating that the development fits in with the streetscape; noting that they are keeping the development back from the street; showing respect to the London Club; and advising that part of the property is municipally owned.

- A. McColl-Lindsay, 510 Princess Avenue – advising that the Woodfield community is opposed to the demolition of any sound building; advising that the decision to demolish a heritage building can have an impact on other heritage buildings; indicating that this area is the introduction to a historic district; quoting Mr. M. Baker's comments from the 2011 Stantec Consulting report; advising that the Committee is being asked to sacrifice a late 1880's house to make a parking lot bigger; advising that 199 Queens Avenue sits on the grass on the corner of the lot; advising that the former owners of this house included London's leading citizens, such as Tom Hiscox; advising that, when Mr. T. Hiscox died in 1885, he was the largest real estate owner in London; advising that his son, George, built up their real estate holdings while living in this house; advising that the Hiscox family is the closest to being a tribute to Mr. Farhi; advising that Mr. Hiscox was an Alderman for 7 years; advising that Mr. Hiscox ran a hospital for \$5,000 less than anyone who held the post previously; indicating that he was a Justice of the Peace for the City; advising that Mr. Farhi has a chance to make history work for him; indicating that the building could be turned into a museum, with full photos and slides of Farhi's buildings, including the history of Farhi's holdings; advising that the City currently lacks a policy for parking lots; advising that in Stratford, if you put a quarter into a parking meter, you can walk for 30 minutes past historic buildings; noting that in London, a quarter gets you 10 minutes and panhandled at least once; and, noting that, in Detroit, they removed a number of Victorian houses to build an automotive mall.
- K. McKeating, 329 Victoria Street – advising that the City should be very careful on setting a precedent when creating a Downtown Heritage Conservation District; noting that demolishing a building in a Heritage Conservation District sends the wrong message; advising that this building is across from St. Peter's Cathedral and beside the London Club; indicating that this is a strong, attractive building; indicating that there is no need to tear it down; indicating that there is no requirement to tear down this building to put in a new development; expressing caution about spending a lot of money for the installation of a parking lot; indicating that parking should be underground; expressing concern with putting the Committee in the uncomfortable position of making a decision from their landlord and asking that Members consider the perception.
- G. Hodder, ACO London Region – appealing to the Planning and Environment Committee and the Municipal Council to not demolish the building as it is in good condition; asking that the building not be torn down to build a parking lot; advising that this property is part of the Downtown Heritage Conservation District and is also listed on the *2006 Inventory of Heritage Resources*; indicating that the building is a stone's throw away from Richmond Street; asking that the Councillors reflect on what will be lost if the building is demolished; and advising that Mr. Farhi received the ACO Award in 2010 for the renovations to the Pitney Bowles building.
- A. Kaplansky, 599 Maitland Street – advising that for the future of economic prosperity, you need to give up some history. (2012-D10-00/D13-00)

IV. ITEMS FOR DIRECTION

24. Local Renewable Electricity Generation Projects Seeking Ontario Feed-In Tariff Contracts

Recommendation: That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to local renewable electricity generation projects seeking Ontario Feed-In-Tariff (FIT) Contracts:

- a) pursuant to section 13.8 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting held on July 24 and 25, 2012, with respect to clause 5 of the 20th Report of the Planning and Environment Committee, related to the approval of forms for Municipal Support Resolutions under the Province's FIT Program **BE RECONSIDERED** as the Ontario Power Authority (OPA) has subsequently released prescribed forms related to this Program;
- b) the said Clause 5 of the 20th Report of the Planning and Environment Committee from its meeting held on July 23, 2012 **BE RESCINDED**; and,
- c) the Civic Administration **BE DIRECTED** to undertake the following actions with respect to proposed changes (Program Rules) to the Feed-in-Tariff (FIT) Program, operated by the Ontario Power Authority (OPA):
 - i) undertake the process described in the recommendations below when the Draft FIT Program Rules (April 5, 2012), which are designed to assist renewable energy project developers obtain timely Municipal Council Support Resolutions, are finalized in the very near future; it being noted that if the FIT Program Rules are substantially changed when finalized, the Civic Administration will revise these recommendations and resubmit, if required;
 - A) co-ordinate and review all requests for a Municipal Council Support Resolution and determine if the request(s) fall into Category 1 Projects (all rooftop solar anywhere in London), Category 2 Projects (ground-mounted solar at specific locations in London) or Category 3 Projects (significant FIT projects, such as wind, biomass and biogas at specific locations in London);
 - B) for Category 1 Projects, the proposed resolution that the construction and operation of rooftop solar projects, having little or no potential for impacts on adjacent properties, be supported without reservation anywhere in London where permitted by the Province of Ontario's Feed-In Tariff (FIT) Program rules be approved, as set out in the Municipal Council Blanket Support Resolution attached hereto as Appendix "A";
 - C) for Category 2 Projects, the proposed resolution that the construction and operation of ground-mounted solar projects, having little or no potential for impacts on adjacent properties, be supported at a specific location(s) identified by the project developer where permitted by the Province of Ontario's Feed-In Tariff (FIT) Program rules be approved as at two step process:
 - i) the Civic Administration prepare a recommendation report to the appropriate Standing Committee, commenting on the proposed location; and,
 - ii) if supported by the Civic Administration, submit a Municipal Council Support Resolution attached hereto as Appendix "B" as part of the report to the appropriate Standing Committee; and,
 - D) for Category 3 Projects, the Civic Administration will review and offer recommendations to Council on the required steps for undertaking these types of projects and opportunities for a Municipal Council Support Resolution;
 - E) co-ordinate the Municipal Council Support Resolution process through the Land Use Planning Division; it being noted that liaison will take place with the Civic Administration from Development & Compliance and Environmental & Engineering Services;

- d) the Mayor and the City Clerk **BE AUTHORIZED** to sign any requested Council Resolution for Category 1 Projects using the Municipal Council Blanket Support Resolution (Appendix "A"); it being noted that these recommendations are solely for the purpose of enabling an applicant of the FIT Program to receive priority points under the new FIT Program rules, and may not be used for the purpose of any other form of municipal approval in relation to the application or project or any other purpose; and,
- e) the Civic Administration **BE DIRECTED** to take the necessary action to provide notice of the proposed fee schedule for processing Category 2 and Category 3 FIT applications and an amendment to Planning Fees By-law CP-18 to be considered at a future Public Participation Meeting before the appropriate Standing Committee. (2012-W12-00)

25. Request for Neighbourhood Plan - Oxford Park

Recommendation: That the communication, dated September 10, 2012, from Councillor J. Bryant, with respect to a request for Civic Administration to complete a neighbourhood plan for Oxford Park **BE REFERRED** to the Civic Administration to determine the placement of the request in the Planning Department Work Program. (2012-D20-00)

26. Crestwood Subdivision - Phase 2

Recommendation: That the delegation request from C. Linton, Norquay Developments, with respect to Phase 2 of the Crestwood Subdivision **BE REFERRED** to the October 15, 2012 Planning and Environment Committee meeting; it being noted that the Civic Administration will prepare a report with respect to this matter. (2012-D11-07)

27. Special Meeting – Proposed Methadone Clinic – 425 Wharncliffe Road South

Pursuant to Section 2.8 of the Council Procedure By-law, a special Planning and Environment Committee meeting **BE HELD** at Centennial Hall, at a date and time to be determined, for the purpose of hearing public submissions relating to the proposed methadone clinic at 425 Wharncliffe Road South.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. CONFIDENTIAL

(Confidential Appendix to the 23rd Report of the Planning and Environment Committee enclosed for Members only.)

The Planning and Environment Committee convened in camera from 10:03 p.m. to 10:03 p.m., after having passed a motion to do so, with respect to the following matters:

- C-1 A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees, relating to the 2013 Mayor's New Year's Honour List and the 2012 Ontario Heritage Community Recognition Award.

VII. ADJOURNMENT

The meeting adjourned at 10:03 p.m.