

26TH REPORT OF THE
BUILT AND NATURAL ENVIRONMENT COMMITTEE

Meeting held on October 31, 2011, commencing at 4:04 p.m.

PRESENT: Councillor W. J. Polhill (Chair), Mayor J. Fontana, Councillors J. L. Baechler, D. Brown, J. Swan and S. White and H. Lysynski (Secretary).

ALSO PRESENT: Councillor J. P. Bryant and P. McNally, D. Ailles, G. Barrett, S. Bellaire, J. Braam, B. Campbell, J. Clark, B. Debbert, M. Elmadhoon, J. M. Fleming, G. Goodlet, T. Grawey, B. Henry, G. T. Hopcroft, G. Irwin, O. Katolyk, G. Kotsifas, B. Krichker, E. Lalande, J. Leunissen, J. Lucas, D. MacRae, A. Riley, D. Simpson, R. Standish, B. Turcotte and J. Yanchula.

I YOUR COMMITTEE RECOMMENDS:

Nichols
Recreation
Centre
Dressing
Room
Upgrades –
Request for
Formal
Quotation
Q11-62 –
Project No.
GG1650

1. (1) That, on the recommendation of the Managing Director – Corporate Assets, the following actions be taken with respect to the request for formal quotation (Q11-62) for proposed upgrades to the Nichols Recreation Centre Dressing Rooms (Project GG1650):

- (a) the bid submitted by Sierra Construction (Woodstock) Ltd., 1401 Dundas Street, Woodstock, Ontario N4S 8X8, in the amount of \$106,182, excluding HST, **BE ACCEPTED**; it being pointed out that the bid submitted by Sierra Construction (Woodstock) Ltd. was lowest of ten (10) bids received and meets the City's specifications and requirements in all areas;
- (b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report, attached as Appendix "A";
- (c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts which are necessary in connection with the project; and,
- (d) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the contractor for the work. (2011-A09-02)

Wonderland
Road
Interchange –
Appointment of
a Consulting
Engineer –
TS1305

2. (2) That, on the recommendation of the Acting Director, Roads and Transportation, the following actions be taken with respect to the appointment of a consultant for the Highway 401/Wonderland Road South Interchange Preliminary Design and Provincial Class Environmental Assessment Study:

- (a) URS Canada Inc., 75 Commerce Valley Drive East, Markham, ON Canada L3T 7N9, **BE APPOINTED** Consulting Engineers for the above-noted project, in the amount of \$418,900, excluding HST, in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy; it being noted that the Ministry of Transportation is committed to paying 50% of this cost and 100% of the approximate \$100,000 in related technical studies;
- (b) an amount of \$13,000, required for advertising expenses, **BE APPROVED** within the project budget;
- (c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report, attached hereto as Appendix 'A';
- (d) the consulting fees for the project **BE IN ACCORDANCE** with the estimate, on file, which is based upon the Fee Guideline for Professional Engineering Services (2006), recommended by the Ontario Society of Professional Engineers; and,
- (e) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work;

it being noted that the final costs to the City will be the subject of an agreement covering all project costs, which is being developed concurrently with this engineering assignment.

Oakridge Drive
Lane Closing

3. (3) That, on the recommendation of the Acting Director of Roads and Transportation, the following actions be taken with respect to the request to close the unnamed lane between Lot 5 and 116 on Registered Plan 784:

- (a) the closing of the unnamed lane between Lot 5 and Lot 116 on Registered Plan 784 **BE APPROVED**; and,
- (b) Jeffrey D. Elliott, Solicitor, **BE APPOINTED** as the City's Solicitor in accordance with the City's Street and Lane Closing Procedure for the purpose of obtaining the Court Order necessary to close the lane. (2011-S06-00)

Contract
Award – Fox
Hollow
Community
SWM System
(Heard Drain)
and Trunk
Sanitary
Sewer –
Tender 11-62
– Projects
ES3019 &
ES5236

4. (7) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the award of a contract for the Fox Hollow Community SWM System (Heard Drain) & Trunk Sanitary Sewer Construction:

- (a) the bid submitted by Ingerwood Construction Ltd., in the amount of \$4,502,006.40, excluding H.S.T., **BE ACCEPTED**; it being pointed out that the bid submitted by Ingerwood Construction Ltd. was the lowest of seven (7) bids received and meets the City's specifications and requirements in all areas;
- (b) the engineering fees for Stantec Consulting, who completed the engineering design, **BE INCREASED** by \$404,910 to carry out the inspection and general construction administration (\$325,930) and monitoring program (\$78,980) for the above-noted project; it being noted that this increases the original estimated upset limit to \$1,308,430, excluding HST; it being also noted that the fee is based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- (c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report, attached hereto as Appendix "A";
- (d) the fees for the project, identified in (a) above, **BE IN ACCORDANCE** with the estimate on file, which is based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- (e) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this work;
- (f) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; and,
- (g) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (2011-F13-00)

Futurestreets
Inc. – 1480
Hamilton Road
– Request for
Extension of
Draft Approval
(39T-07506)

5. (8) That, on the recommendation of the Director of Development Planning and the Managing Director of Development Approvals, the following actions be taken with respect to the application of Futurestreets Inc. relating to lands located at 1480 Hamilton Road, legally described as Part of Lot 4, Concession "A" in the City of London:

- (a) the Approval Authority **BE REQUESTED** to approve a three (3) year extension to Draft Plan Approval, submitted by Futurestreets Inc., File No. 39T-07506, for the residential plan of subdivision, as red-line amended, **SUBJECT TO** the revised conditions contained in the attached Appendix "A", 39T-07506; and,
- (b) the applicant **BE ADVISED** that the Director of Development Finance has projected the attached claims and revenues information (Appendix "B", 39T-07506). (2011-D26-02)

Heritage
Alteration
Permit
Application –
C. Duval – 430
– 432
Waterloo
Street

6. (11) That, on the recommendation of the London Advisory Committee on Heritage and the Director of Land Use Planning & City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of C. Duval requesting permission for an alteration to the roofing material on the designated heritage property located at 430-432 Waterloo Street **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed alteration 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 also noted that the London Advisory Committee on Heritage heard a verbal presentation from Mr. C. Duval, with respect to this matter.

Heritage
Alteration
Permit
Application –
D. Russell –
529 Princess
Avenue

7. (11) That, on the recommendation of the London Advisory Committee on Heritage and the Director of Land Use Planning & City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of D. Russell requesting permission for an alteration to the roofing material on the designated heritage property located at 529 Princess Avenue **BE APPROVED SUBJECT TO** final approval by the Heritage Planner of the colour of the roofing material; it being noted that the Heritage Planner has reviewed the proposed roofing material and has advised that the impact of such alteration on the heritage features of this property identified in the reasons for designation is negligible.

Heritage
Alteration
Permit
Application –
M. Van Der
Pluijm – 925
Dufferin
Avenue

8. (11) That, on the recommendation of the London Advisory Committee on Heritage and the Director of Land Use Planning & City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of M. Van Der Pluijm requesting permission for the installation of a steel roof on the designated heritage property located at 925 Dufferin Avenue **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed reroofing application and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is appropriate with respect to the Conservation Guidelines for the District.

EMCO
Corporation –
1100 and 1108
Dundas Street
(OZ-7918)

9. (12) That, notwithstanding the recommendation of the Director of Land Use Planning and City Planner that was brought forward to the Built and Natural Environment Committee on September 26, 2011, the following actions be taken with respect to the application by EMCO Corporation relating to the property located at 1100 and 1108 Dundas Street:

- (a) the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on November 7, 2011 to amend the Official Plan to add a Specific Area Policy to Chapter 10 to permit, in addition to uses permitted in the General Industrial designation, office uses in existing buildings, excluding medical/dental offices and clinics, with a maximum aggregate gross floor area of 8732 m² (94,000 sq.ft.), recognizing the uniqueness of this location along a major corridor in London leading to the Old East village and Downtown; and to include a limited amount of commercial uses including convenience stores, financial institutions, restaurants, and personal service establishments, but excluding pharmacies, not exceeding a total of 1,000 square metres (10,764 square feet);
- (b) the proposed by-law attached hereto as Appendix 'B' **BE INTRODUCED** at the Municipal Council meeting to be held on November 7, 2011 to amend the Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a) above), to change the zoning **FROM** General Industrial (GI1) **TO** General Industrial Special Provision (GI1()) to permit in addition to the uses already permitted, office uses in existing buildings, excluding medical/dental offices and clinics, at a maximum aggregate gross floor area of 8732 m² (94,000 sq.ft.), and to include a limited amount of commercial uses including convenience stores, financial institutions, restaurants, and personal service establishments, but excluding pharmacies, not exceeding a total of 1,000 square metres (10,764 square feet);
- (c) the Site Plan Approval Authority **BE REQUESTED** to consider the following design objectives through the Site Plan process:

- (i) clearly define pedestrian linkages between the public sidewalk and the front entrances of all buildings; and,
- (ii) enhance the area covered by landscaping and improve the quality of existing landscaped areas;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2011-D11-02)

Oliver &
Associates –
Request for
Revision to
Draft Approval
– 3557 Colonel
Talbot Road
(39T-00510)

10. (13) That, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit, the following actions be taken with respect to a revision to the Draft Plan of Subdivision application of Oliver and Associates relating to the property located at 3557 Colonel Talbot Road:

- (a) the Approval Authority **BE ADVISED** that at the public meeting of the Built and Natural Environment Committee held on October 31, 2011, with respect to this matter, the applicant noted concerns related to the following:
 - (i) grading;
 - (ii) relief from a zoning application fee;
 - (iii) request for a cul-de-sac without a centre island; and,
 - (iv) the material to be used for the walkway;
- (b) the Approval Authority **BE ADVISED** the Municipal Council supports the revised draft plan of residential subdivision, as submitted by Oliver and Associates Realty Inc., prepared by Cumming Cockburn Limited, certified by R. H. Kruys, Ontario Land Surveyor, Drawing No. DP2-1, dated February 3, 2004, as revised by the plan prepared by IBI Group, certified by David Bianchi, Ontario Land Surveyor, Drawing No. DP1-1, dated June 22, 2011, and red-line amended, which shows a total of 23 single detached dwelling lots, one open space block and one walkway access block, served by Clayton Walk and one internal road, **SUBJECT TO** the conditions contained in the attached Appendix “39T-00510-1”;
- (c) the applicant **BE ADVISED** that the Director of Development Finance has projected the attached claims and revenues information; and,
- (d) as part of the Revision of Draft Approval, the R4-1 zoning **BE REMOVED** at the time of the removal of the holding provision;

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

- J. Heyninck, IBI Group, representing the applicant and expressing the following concerns:
 - Advising of the following with respect to condition 8:
 - he understands the City’s reasoning for the rezoning and asking for relief from applying for a rezoning application;
 - Advising of the following with respect to condition 20:
 - the Conservation Authority may ask for grading to be done;
 - the applicant is not planning to grade, but that the Managing Director of the Development Approvals Unit has the discretion to decide whether or not the grading is necessary;
 - Advising of the following with respect to clause 85:
 - the developer has prepared detailed drawings;
 - the developer has had experience with centre islands in cul-de-sacs; noting that they present a maintenance issue;
 - indicating that, with a centre island, there are conflicts with snow removal; noting that the residents become disenchanted and don’t maintain the centre island; and,
 - advising that the developer doesn’t want a centre island, expressing a preference for a cul-de-sac.

- Advising of the following with respect to clause 86:
 - the developer recognizes the need for access to the walkway; noting that access is not needed at this location;
 - wrought-iron style fencing will be implemented, with fencing on three sides and a gate on the other end for public access; and requesting the walkway be installed using something other than a hard surface.
- I. Campbell, 3637 Colonel Talbot Road – advising that he owns property to the southwest and southeast of the application; expressing support that the walkway is not installed as a hard surface; indicating that there is no reason for public access in the environmentally significant area; and indicating that the proposed walkway from Dingman Creek to Colonel Talbot Road would go through his property. (2011-D26-04)

Schlegel
Enterprises
Inc. – 1390
Highbury
Avenue North

11. (14) That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of Schlegel Enterprises Inc., for a 128-unit Long-Term Care facility at 1390 Highbury Avenue North:

- (a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Built and Natural Environment Committee with respect to the site plan approval application for a 128-unit Long-Term Care facility at 1390 Highbury Avenue North;
- (b) the Approval Authority **BE ADVISED** that the Municipal Council supports the granting of approval of the site plan application for a Long Term Care facility subject to the minor variances being granted; and,
- (c) the applicant **BE ADVISED** that the Director of Development Finance has projected the attached claims and revenues information;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2011-D25-00)

Glanworth
Municipal
Drain - 2011

12. (15) That, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the Glanworth Municipal Drain – 2011 (Projects ES4822 and ES4825):

- (a) the drainage report, prepared by Spriet Associates London Limited, Consulting Engineers, the Glanworth Municipal Drain – 2011 (Projects ES4822 and ES4825) in the amount of \$405,200, excluding HST, **BE ADOPTED**; it being noted that the notice of the public meeting was provided in accordance with the provisions of the *Drainage Act*; and,
- (b) the by-law attached hereto as Appendix 'B' **BE INTRODUCED** at the Municipal Council meeting to be held on November 7, 2011 and **BE GIVEN** two readings to authorize the Glanworth Municipal Drain – 2011 project; it being noted that the third reading and enactment of the by-law will occur following the Court of Revision meeting in connection with the project; it being further noted that a tender for these works will be issued upon approval of the by-law and the final award of the related contract will be submitted to the Municipal Council for approval;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2011-W05-00)

Draft Study
and Interim
Control By-law
Extension –
City of London
(OZ-7873)

13. (16) That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to methadone clinics and methadone dispensaries:

- (a) the Civic Administration **BE DIRECTED** to circulate the proposed amendments, the methadone study entitled "Planning for Methadone Clinics and Methadone Pharmacies – A Proposed Policy and Regulatory Framework" and the study's appendices compiled in the Research Compendium to stakeholders and the general public for their comments and feedback and to prepare proposed amendments for consideration by

the Planning and Environment Committee; it being noted that the aforementioned information was provided with the report dated October 31, 2011, from the Director of Land Use Planning and City Planner; and,

- (b) the by-law attached hereto as Appendix "1" **BE INTRODUCED** at the Municipal Council meeting to be held on November 7, 2011, to extend the Interim Control By-law, which "holds the status quo" for methadone clinics and methadone dispensaries for a further four months, (until March 15, 2012); it being noted that this will permit staff to bring forward final amendments to the City of London's Official Plan and Zoning By-law and accommodate the associated appeal periods, prior to the expiry of the Interim Control By-law (ICB). (2011-C06-00/D11-00)

Methadone
Maintenance
Treatment
Clinics

14. (17) That, on the recommendation of the Director of Building Controls and Chief Building Official, the Civic Administration **BE DIRECTED** to schedule a public participation meeting to receive public input on the draft by-law to provide for the licensing and regulation of Outpatient Addiction Treatment Clinics and Outpatient Treatment Dispensaries in the City of London. (2011-C06-00)

Montessori
House of
Children – 719
Waterloo
Street and
Related Lands
(Z-7686)

15. (18,20) That, on the recommendation of the Director of Land Use Planning and City Planner, the Civic Administration **BE DIRECTED** to undertake the following actions be taken with respect to the application of Montessori House of Children, relating to the property located at 719 Waterloo Street:

- (a) organize and hold a neighbourhood based community meeting, in coordination with the Montessori School and the Piccadilly Area Neighbourhood Association, to discuss a possible Official Plan amendment that will plan for and define the parameters for any future expansion of the Montessori School in the Piccadilly Neighbourhood, understanding that at that community meeting, Planning Staff will facilitate a review of neighbourhood issues related to the Montessori School and work toward a collaborative approach to resolving these issues; and,
- (b) initiate an application to amend the Official Plan to establish the limits of future expansion of private school uses in the Piccadilly Neighbourhood;

it being noted that the Civic Administration will report back to the Planning and Environment Committee with respect to any proposed Official Plan Amendment and associated zoning by-law amendment in January, 2012 for consideration and deliberation;

it being also noted that the verbal presentation from R. Zelinka, Zelinka Priamo Ltd., with respect to this matter did not proceed. (2011-D11-05)

Environmental
Assessment
for Tributary
'C' Drainage
Area

16. (21) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to a review request of the Draft Environmental Study Report (ESR) for the Municipal Class Environmental Assessment (EA) Study, Schedule "C" for the Storm/Drainage and Stormwater Management (SWM), Transportation and Sanitary Trunk Servicing Works for the Tributary 'C' drainage area located within the Downstream Thames River Subwatershed Area from the Munsee-Delaware First Nation:

- (a) the Mayor and the City Clerk **BE AUTHORIZED** to execute an agreement with AECOM, 250 York Street, Suite 410, London Ontario K6A 6K2, to increase the previously approved cost of engineering fees for the on-going Municipal Class EA Study for the Tributary 'C' drainage area by \$39,000.00, excluding HST, in accordance with the revised work program and schedule, provided by the Consultant; it being noted that the revised up-set cost of this study, including the City's Consultant estimated fees cost and the First Nation's Consultant's peer review cost, is \$505,430.00, excluding HST; it being also noted that this is based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers and in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;

- (b) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts that are necessary to proceed with the Munsee-Delaware First Nation's request for the engineering and legal peer review of the Draft Environmental Study Report (ESR) for the Municipal Class EA Study for the Tributary 'C' drainage area in the amount of \$50,000.00, excluding HST, in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy;
- (c) the approvals given herein **BE CONDITIONAL** upon the receiving and the acceptance of the First Nation's Consultants' finalized peer review work plan by the City's Executive Director of Planning, Environmental and Engineering Services Department, as the delegated authority by the Council; and,
- (d) the financing for this work **BE APPROVED** as set out in the Sources of Financing Report, attached hereto as Appendix "A".

II YOUR COMMITTEE REPORTS:

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| Update on Book 15 – Pedestrian Crossing Facilities Interim Report | 17. (4) That the Built and Natural Environment Committee reviewed and received an information report from the Acting Director of Roads and Transportation, with respect to an update on the status of the Ontario Traffic Manual, Book 15, entitled "Pedestrian Crossing Facilities Interim Report". (2011-S09-00) |
| Hamilton Road at Gore Road Intersection | 18. (5) That the Built and Natural Environment Committee reviewed and received an information report from the Acting Director of Roads and Transportation with respect to the results of a technical study of the road alignment at the intersection of Hamilton Road and Gore Road. (2011-S11-00) |
| 580 Fanshawe Park Road East | 19. (6) That the Built and Natural Environment Committee reviewed and received an information report from the Acting Director of Roads and Transportation with respect to the results of the traffic patterns review and access assessment for the proposed development located at 580 Fanshawe Park Road East and the adjacent Fanshawe Park Road East and Adelaide Street intersection. (2011-S09-00) |
| Comprehensive Official Plan Review and Komoka-Kilworth Secondary Plan – Municipality of Middlesex Centre | 20. (9) That the Built and Natural Environment Committee reviewed and received an information report from the Director of Land Use Planning and City Planner with respect to the Comprehensive Official Plan Review (OPA 28), which also includes the Komoka-Kilworth Secondary Plan. (2011-D11-09) |
| Building Division Monthly Report for September, 2011 | 21. (10) That the Built and Natural Environment Committee reviewed and received the monthly report from the Director of Building Controls and Chief Building Official relating to Building Activity and Inspector Workloads for September, 2011. (2011-D05-00) |
| 11th Report of the LACH | 22. (11) That the Built and Natural Environment Committee heard a verbal presentation from G. Goodlet, Chair, London Advisory Committee on Heritage (LACH) and reviewed and received clauses 4 to 12, inclusive, of the 11th Report of the LACH, from its meeting held on October 12, 2011. (See Report <u>attached</u> .) |
| Ayerswood Development Corp. – 940 Springbank Drive | 23. (19) That the Built and Natural Environment Committee heard a verbal presentation from A. Hopkins, 928 Springbank Drive and reviewed and received an information report from the Executive Director of Planning, Environmental and Engineering Services, with respect to an application by Ayerswood Development Corp., relating to the property located at 940 Springbank Drive. (2011-D11-01) |
| Disclosure of Pecuniary Interest – Councillor W. J. Polhill | 24. That Councillor W. J. Polhill disclosed a pecuniary interest in clause 11 of this Report having to do with the application by Schlegal Enterprises Inc. relating to the property located at 1390 Highbury Avenue North, by indicating that his son is a member of the Committee of Adjustment. |

BNEC - 8

Confidential
Matters

25. That the Built and Natural Environment Committee (BNEC) passed the following resolution prior to moving in camera from 6:44 p.m. to 6:45 p.m.:

That the Built and Natural Environment Committee move in camera to consider a matter being considered pertaining to matters about identifiable individuals, including municipal or local board employees, relating to the 2012 Mayor's New Year's Honour List.

The BNEC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 26th Report of the Built and Natural Environment Committee enclosed for Council Members only.)

The meeting adjourned at 6:45 p.m.