

Planning and Environment Committee

Report

The 6th Meeting of the Planning and Environment Committee
March 18, 2019

PRESENT: Councillors A. Hopkins (Chair), J. Helmer, M. Cassidy, P. Squire, S. Turner
ABSENT: Mayor E. Holder
ALSO PRESENT: Councillor M. van Holst; A. Anderson, S. Chambers, M. Corby, L. Dent, M. Elmadhoon, M. Feldberg, J.M. Fleming, K. Gowan, P.Kokkoros, T. Macbeth, A. Macpherson, B. O'Hagan, M. Pease, L. Pompili, M. Ribera, C. Saunders, L. Snyder, M. Tomazincic, S. Wise and P. Yeoman

The meeting was called to order at 4:01 PM

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: P. Squire
Seconded by: J. Helmer

That Items 2.1 to 2.6, inclusive, 2.8 to 2.10, inclusive, and 2.12 BE APPROVED.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 2nd Report of the Trees and Forests Advisory Committee

Moved by: P. Squire
Seconded by: J. Helmer

That the 2nd Report of the Trees and Forests Advisory Committee, from its meeting held on February 27, 2019, BE RECEIVED for information.

Motion Passed

2.2 3rd Report of the Advisory Committee on the Environment

Moved by: P. Squire
Seconded by: J. Helmer

That the 3rd Report of the Advisory Committee on the Environment, from its meeting held on March 6, 2019, BE RECEIVED for information.

Motion Passed

2.3 Application - 4402 Colonel Talbot Road - Removal of Holding Provision (h-18) (H-8961)

Moved by: P. Squire
Seconded by: J. Helmer

That, on the recommendation of the Planner II, Development Planning, based on the application by Lambeth Health Organization Inc., relating to the property located at 4402 Colonel Talbot Road, the proposed by-law appended to the staff report dated March 19, 2019 BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2019, 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 Business District Commercial Special Provision (h-18* BDC(30)) Zone TO a Business District Commercial Special Provision (BDC(30)) Zone to remove the "h-18" holding provision from these lands. (2019-D09)

Motion Passed

2.4 Passage of Heritage Designating By-law - 432 Grey Street

Moved by: P. Squire
Seconded by: J. Helmer

That, on the recommendation of the Heritage Planner, Development Services, the by-law appended to the staff report dated March 18, 2019 to designate the property located at 432 Grey Street to be of cultural heritage value or interest BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2019; it being noted that this matter has been considered by the London Advisory Committee on Heritage and public notice has been completed with respect to the designation in compliance with the requirements of the *Ontario Heritage Act*. (2019-R01)

Motion Passed

2.5 Application - White Oak - Dingman Secondary Plan - Update Report (O-8844)

Moved by: P. Squire
Seconded by: J. Helmer

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

- a) the staff report dated March 18, 2019 entitled "White Oak-Dingman Secondary Plan - Update Report" BE RECEIVED for information; and,
- b) the White Oak-Dingman Secondary Plan project BE DEFERRED until sufficient information is made available through Phase 2 of the Dingman Creek Environmental Assessment to delineate a developable land area;

it being noted that the limits of the Dingman Creek flood plain are currently being reviewed and updated by the Upper Thames River Conservation Authority, and this review will inform the Dingman Creek Environmental Assessment; and,

it being further noted that the White Oak-Dingman Secondary Plan area is identified as part of the second phase of the Dingman Creek Environmental Assessment (EA), which will address the flood plain limit and potential mitigation measures related to the flood plain. (2019-D09)

Motion Passed

- 2.6 Update on Response to Provincial Consultation on "Increasing Housing Supply in Ontario"

Moved by: P. Squire
Seconded by: J. Helmer

That, on the recommendation of the Managing Director, City Planning and City Planner, the staff report dated March 18, 2019 entitled "Update on Response to Provincial Consultation on "Increasing Housing Supply in Ontario" BE RECEIVED for information. (2019-S11)

Motion Passed

- 2.8 Application - Part Lot Control - 1245 Michael Street (Blocks 3, 4, and 5 Plan 33M-745)

Moved by: P. Squire
Seconded by: J. Helmer

That, on the recommendation of the Senior Planner, Development Services, based on the application by Wastell Builders (London) Inc., the proposed by-law appended to the staff report dated March 18, 2019 BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2019 to exempt Blocks 3, 4 and 5, Registered Plan 33M-745, from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years. (2019-D09)

Motion Passed

- 2.9 Application - 2688 Asima Drive (P-9008)

Moved by: P. Squire
Seconded by: J. Helmer

That, on the recommendation of the Senior Planner, Development Services, with respect to the application by Rockwood Homes, the proposed by-law appended to the staff report dated March 18, 2019 BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2019 to exempt Block 56, Plan 33M-699, from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years. (2019-D09)

Motion Passed

2.10 Application - 131 King Street (H-9033)

Moved by: P. Squire
Seconded by: J. Helmer

That, on the recommendation of the Senior Planner, Development Services, the following action be taken with respect to the application by 131 King West Inc., relating to the property located at 131 King Street, the proposed by-law appended to the staff report dated March 18, 2019 BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2019, to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Downtown Area Special Provision Bonus (h-18*DA1(6)*D350*B-53) Zone TO a Downtown Area Special Provision Bonus (DA1(6)*D350*B-53) Zone to remove the "h-18" holding provision. (2019-D09)

Motion Passed

2.12 Building Division Monthly Report for January 2019

Moved by: P. Squire
Seconded by: J. Helmer

That the Building Division Monthly Report for the month of January, 2019 BE RECEIVED for information. (2019-A23)

Motion Passed

2.7 2017 State of the Downtown Report

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the 2017 State of the Downtown Report, appended to the staff report dated March 18, 2019 as Appendix "A" BE RECEIVED for information. (2019-D19)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner
Absent: (1): E. Holder

Motion Passed (5 to 0)

2.11 Upper Thames River Conservancy Authority - Dingman Creek Subwatershed Screening Area Mapping - Update

Moved by: S. Turner
Seconded by: J. Helmer

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the staff report dated March 18, 2019 entitled "Upper Thames River Conservation Authority Dingman Creek Subwatershed Screening Area Mapping - update" BE RECEIVED for information; it being noted that the Planning and Environment Committee heard the attached presentation from T. Annett, Manager, Environmental Planning & Regulations, Upper Thames River Conservation Authority, with respect to this matter. (2019-E09)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner
Absent: (1): E. Holder

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Public Participation Meeting - Application - 555 Wellington Road (Z-8990)

Moved by: S. Turner
Seconded by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Werger Realty Limited, relating to the property located at 555 Wellington Road, the proposed by-law appended to the staff report dated March 18, 2019 BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Associated Shopping Area (ASA1) Zone, TO an Associated Shopping Area Special Provision (ASA1/ASA3(_)) Zone;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement 2014;
- the recommended amendment conforms to the City of London Official Plan policies and the permitted uses policies of the Rapid Transit Corridor Place Type in The London Plan;
- the recommended amendment provides additional uses that are appropriate and compatible with the surrounding area and provides an increased opportunity to effectively utilize the existing building; and,
- the existing built form and on-site parking is capable of supporting the requested office type uses without resulting in any negative impacts on the abutting lands. (2019-D09)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Turner
Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: M. Cassidy
Seconded by: J. Helmer

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

3.2 Public Participation Meeting - Request to Repeal Heritage Designating By-law No. L.S.P - 3227-417 - 429 William Street

Moved by: S. Turner
Seconded by: P. Squire

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the request to repeal heritage designating By-law No. L.S.P.-3227-417 for the property located at 429 William Street BE REFUSED and that notice of this decision BE GIVEN to the property owners and to the Ontario Heritage Trust;

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

- a communication dated March 11, 2019 from J. Grainger, President, London Region Branch, Architectural Conservancy of Ontario; and,
- a communication dated March 12, 2019 from D. Fuller, 429 William Street;

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. (2019-R01)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: M. Cassidy
Seconded by: J. Helmer

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Turner
Seconded by: M. Cassidy

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

3.3 Public Participation Meeting - Demolition Request for Heritage Listed Property - 1588 Clarke Road

Moved by: S. Turner
Seconded by: P. Squire

That, on the recommendation of the Heritage Planner, Development Services, the following actions be taken with respect to the request for the demolition of the barn on the heritage listed property located at 1588 Clarke Road:

- a) the Chief Building Official BE ADVISED that the Municipal Council consents to the demolition of the barn on this property; and,
- b) the property owner BE REQUESTED to commemorate the historic contributions of the Tackabury family in the future development of this property;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019-R01)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner
Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: M. Cassidy
Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner
Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Turner
Seconded by: J. Helmer

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner
Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Turner
Seconded by: P. Squire

Motion to move part a), which reads as follows:

"a) the Chief Building Official BE ADVISED that the Municipal Council consents to the demolition of the barn on this property; and,"

Yeas: (4): A. Hopkins, M. Cassidy, P. Squire, and S. Turner
Nays: (1): J. Helmer
Absent: (1): E. Holder

Motion Passed (4 to 1)

Moved by: S. Turner
Seconded by: P. Squire

Motion to approve part b), which reads as follows:

"That, on the recommendation of the Heritage Planner, Development Services, the following actions be taken with respect to the request for the demolition of the barn on the heritage listed property located at 1588 Clarke Road:

b) the property owner BE REQUESTED to commemorate the historic contributions of the Tackabury family in the future development of this property;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019-R01)"

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Motion Passed (5 to 0)

4. Items for Direction

4.1 2nd Report of the Environmental and Ecological Planning Advisory Committee

Moved by: M. Cassidy
Seconded by: S. Turner

That the following actions be taken with respect to the 2nd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on February 21, 2019:

a) the Civic Administration BE ADVISED that the Environmental and Ecological Planning Advisory Committee (EEPAC) agrees, in principle, only with the Springbank Dam Environmental Assessment for the preferred solution of the partial decommissioning of the Springbank Dam pending the EEPAC review of the completed Environmental Impact Study and accompanying documentation including the hydrogeological assessment contained in the River Characterization Study and the Natural Heritage Setting Study; it being noted that the EEPAC has reviewed the draft Environmental Impact Statement and has met with Civic Administration to discuss this matter;

b) the revised Working Group comments appended to the 3rd Report of the Environmental and Ecological Planning Advisory Committee relating to the Thames Valley Parkway North Branch Connection BE FORWARDED to the Civic Administration for consideration; and,

c) clauses 1.1, 2.1, 3.1 to 3.5, inclusive, 4.1, 4.2, 5.1 to 5.8, inclusive, 6.1 and 6.2, BE RECEIVED for information.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

4.2 Draft Lambeth Area Community Improvement Plan

Moved by: A. Hopkins
Seconded by: J. Helmer

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the draft Lambeth Area Community Improvement Plan (CIP):

- a) the draft Lambeth Area Community Improvement Plan appended to the staff report dated March 18, 2019 BE RECEIVED AND BE CIRCULATED for public review and comment to the Lambeth Community Association, the Lambeth B2B Group, the Lambeth Citizens' Recreation Council, the London Transit Commission, the Upper Thames River Conservation Authority, the London Police Service, the Westminster Township Historical Society, Lambeth & Community Harvest Festival, the London Small Business Centre, the Urban League of London, all City advisory committees and stakeholders who have participated in the process to date, posted on the City's Get Involved website; and,
- b) based on the feedback received through the circulation process, the final Lambeth Community Improvement Plan and any associated Community Improvement Plan By-law(s) and Official Plan amendment(s) BE PRESENTED at a future meeting of the Planning and Environment Committee for consideration and approval. (2019-D09)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: M. Cassidy
Seconded by: J. Helmer

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.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

5.2 (ADDED) 4th Report of the London Advisory Committee on Heritage

Moved by: M. Cassidy
Seconded by: J. Helmer

That, the following actions be taken with respect to the 4th Report of the London Advisory Committee on Heritage, from its meeting held on March 13, 2019:

- a) clause 2.2 of the 4th Report of the London Advisory Committee on Heritage BE RECEIVED; it being noted that clause 2.2 reads as follows:

"the Civic Administration BE REQUESTED to bring the Heritage Alteration Permit application, with respect to the property located at 195 Dundas Street, to a future meeting of the London Advisory Committee on Heritage (LACH) and include a Heritage Impact Statement and factual drawings of existing and new building streetscape elevations from Dundas Street, for the LACH to review; it being noted that the ~~attached~~ presentation from M. Tomazincic, Manager - Current Planning and M. Pease, Manager, Development Planning, and a verbal delegation from G. Priamo, Zelinka Priamo Ltd., were received with respect to this matter.";

b) 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 a request to repeal heritage designating By-law No. L.S.P.-3227-417, for the property located at 429 William Street, by David and Martine Fuller:

- i) the request to repeal the heritage designating by-law No. L.S.P.-3227-417, for the property located at 429 William Street BE REFUSED; and,
- ii) notice of the decision in part i), above, BE GIVEN to the property owners and to the Ontario Heritage Trust;

it being noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from K. Gowan, Heritage Planner, was received with respect to this matter;

c) the following actions be taken with respect to the Stewardship Sub-Committee Report, from its meeting held on February 27, 2019:

- i) the London Advisory Committee on Heritage recommends that the property located at 982 Princess Avenue (Orange Crush Bottling Building) BE ADDED to the Register (Inventory of Heritage Resources), with the following description of the property:

982 Princess Avenue

The Orange Crush Bottling Building (built 1923) is a structure of sharply limited historical interest, but significant architectural charms. The building was constructed with a single storey factory floor stretching through the block from Princess Avenue to Elias Street, while a brick, two-storey office block was constructed facing Princess Avenue. The arcade of five brick arches and the slight setback from the street enliven an otherwise residential stretch of Princess Avenue, while at the same time respecting its residential neighbours. The chimney attached to the structure is also of interest; and,

- ii) the remainder of the above-noted Stewardship Sub-Committee report, BE RECEIVED;

d) the following actions be taken with respect to a request for the demolition of the barn on the heritage listed property located at 1588 Clarke Road:

- i) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the barn on the above-noted property; and,
- ii) the house located on the above-noted property BE REFERRED to the Stewardship Sub-Committee to conduct research into a possible association with the Underground Railroad;

it being noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from L. Dent, Heritage Planner, was received with respect to this matter;

e) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to construct two pocket parks within the Bishop Hellmuth Heritage Conservation District BE PERMITTED, as submitted in the drawings appended to the staff report dated March 13, 2019, with the terms and conditions that commercial advertisement within the pocket parks be prohibited; it being noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, was received with respect to this matter;

f) clauses 1.1, 2.1, 3.1 to 3.4, inclusive, and 5.3, BE RECEIVED for information.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Turner
Seconded by: M. Cassidy

Motion to grant delegation status to G. Priamo.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

5.3 (ADDED) 195 Dundas Street

Moved by: J. Helmer
Seconded by: M. Cassidy

That the application made under Section 42 of the *Ontario Heritage Act* to construct a new apartment building and associated site development on the property located at 195 Dundas Street, within the Downtown Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the presentation on the 4th Report of the London Advisory Committee on Heritage, subject to the following terms and conditions:

- a) the Manager of Development Planning be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit; and,
- b) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 7:01 PM.