

Planning and Environment Committee

Report

The 7th Meeting of the Planning and Environment Committee
April 15, 2019

PRESENT: Councillors A. Hopkins (Chair), J. Helmer, M. Cassidy, P. Squire, S. Turner
ABSENT: Mayor E. Holder
ALSO PRESENT: I. Abushehada, M. Campbell, B. Debbert, J.M. Fleming, K. Gonyou, P. Kokkoros, C. Lowery, H. Lysynski, D. MacRae, H. McNeely, B. O'Hagan, N. Pasato, M. Pease, L. Pompilii, C. Saunders, J-A. Spence, S. Spring, J. Stanford, M. Sundercock, M. Tomazincic, R. Turk and P. Yeoman

The meeting was called to order at 4:02 PM

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: M. Cassidy
Seconded by: P. Squire

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

Yeas: (4): A. Hopkins, M. Cassidy, P. Squire, and S. Turner

Absent: (2): J. Helmer, and E. Holder

Motion Passed (4 to 0)

2.1 3rd Report of the Trees and Forests Advisory Committee

Moved by: M. Cassidy
Seconded by: P. Squire

That the 3rd Report of the Trees and Forests Advisory Committee, from its meeting held on March 27, 2019, BE RECEIVED for information.

Motion Passed

2.2 Application - 1196 Sunningdale Road West - Removal of Holding Provisions (h and h-100) (H-9026)

Moved by: M. Cassidy
Seconded by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Landea Development Inc., relating to the property located at 1196 Sunningdale Road West, the proposed by-law appended to the staff report dated April 15, 2019 BE INTRODUCED at the Municipal Council meeting to be held on April 23, 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 Residential R1 (h*h-100*R1-4) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-4 (33))

Zone, a Holding Residential R1 Special Provision (h*h-100*R1-4 (34)) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-4 (35)) Zone, a Holding Residential R1 (h*h-100*R1-13) Zone and a Holding Residential R1 Special Provision (h*h-100*R1-13 (9)) Zone TO a Residential R1 (R1-4) Zone, a Residential R1 Special Provision (R1-4 (33)) Zone, a Residential R1 Special Provision (R1-4 (34)) Zone, a Residential R1 Special Provision (R1-4 (35)) Zone, a Residential R1 (R1-13) Zone and a Residential R1 Special Provision (R1-13 (9)) Zone to remove the h. and h-100 holding provisions. (2019-D09)

Motion Passed

2.3 Application - 1395 Riverbend Road - Removal of Holding Provisions (H-8933)

Moved by: M. Cassidy
Seconded by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to a portion of the lands located at 1395 Riverbend Road, the proposed by-law appended to the staff report dated April 15, 2019 BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R6/R7 Special Provision (h•h-206•R6-5(42)/R7(22)•D115•H30) Zone TO a Residential R6/R7 Special Provision (R6-5(42)/R7(22)•D115•H30) Zone to remove the h and h-206 holding provisions. (2019-D09)

Motion Passed

2.4 Application - 660 Sunningdale Road East - Applewood Subdivision - Phase 1B - Special Provisions 39T-09501 - 1B

Moved by: M. Cassidy
Seconded by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Extra Realty Limited, for the subdivision of land over Part Lot 13, Concession 6, situated on the north side of Sunningdale Road East, west of Adelaide Street North, municipally known as 660 Sunningdale Road East:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Extra Realty Limited, for the Applewood Subdivision, Phase 1B (39T-09501) appended to the staff report dated April 15, 2019 as Appendix "A", BE APPROVED;
- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated April 15, 2019 as Appendix "B";
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 15, 2019 as Appendix "C"; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions. (2019-D09)

Motion Passed

2.5 Application - 146 Exeter Road - Richardson Subdivision - Phase 1 -
Special Provisions 39T-15501

Moved by: M. Cassidy
Seconded by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Zedcor Inc., for the subdivision of land over Part of Lots 33 and 34, Concession 2, (former Township of Westminster), situated on the north side of Exeter Road, east of Wonderland Road South, municipally known as 146 Exeter Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Zedcor Inc., for the Richardson Subdivision, Phase 1 (39T-15501) appended to the staff report dated April 15, 2019 as Appendix "A", BE APPROVED;
- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated April 15, 2019 as Appendix "B"; and,
- c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2019-D09)

Motion Passed

2.6 Application - 146 Exeter Road - Richardson Subdivision - Phase 1A -
Special Provisions 39T-15501

Moved by: M. Cassidy
Seconded by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited, for the subdivision of land over Part of Lots 34 and 35, Concession 2, (former Township of Westminster), situated on the north side of Exeter Road, east of Wonderland Road South, municipally known as 146 Exeter Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the Richardson Subdivision, Phase 1A (39T-15501) appended to the staff report dated April 15, 2019 as Appendix "A", BE APPROVED;
- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated April 15, 2019 as Appendix "B";
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 15, 2019 as Appendix "C"; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2019-D09)

Motion Passed

2.8 Building Division Monthly Report for February 2019

Moved by: M. Cassidy
Seconded by: P. Squire

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

Motion Passed

2.7 Annual Report on Building Permit Fees

Moved by: M. Cassidy
Seconded by: P. Squire

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the staff report dated April 15, 2019 entitled "Annual Report on Building Permit Fees" BE RECEIVED for information. (2019-F21)

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 Delegation - S. Levin, Chair, Environmental and Ecological Planning Advisory Committee - 4th Report of the Environmental and Ecological Planning Advisory Committee

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

That, the following actions be taken with respect to the 4th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on March 21, 2019:

- a) the Civic Administration BE ASKED to involve the Environmental and Ecological Planning Advisory Committee in the detailed design phase of the Clarke Road Environmental Assessment;
- b) the revised Working Group comments appended to the 4th Report of the Environmental and Ecological Planning Advisory Committee, relating to the property located at 348 Sunningdale Road East BE FORWARDED to the Civic Administration for consideration;
- c) the Working Group comments appended to the 4th Report of the Environmental and Ecological Planning Advisory Committee, relating to the Meadowlily Woods Environmentally Significant Area Conservation Plan - Phase 1 BE FORWARDED to the Civic Administration for consideration;
- d) the following actions be taken with respect to the Environmental and Ecological Planning Advisory Committee Work Plan:
 - i) the 2019 Work Plan for the Environmental and Ecological Planning Advisory Committee (EEPAC) appended to the 4th Report of the EEPAC BE FORWARDED to the Municipal Council for consideration; and,

ii) the 2018 Environmental and Ecological Planning Advisory Committee (EEPAC) Workplan Summary appended to the 4th Report of the EEPAC BE FORWARDED to the Municipal Council for information.

e) the Civic Administration BE REQUESTED to mail the "Is Your Cat Safe Outdoors" brochure to new homeowners living adjacent to natural heritage areas; and,

f) clauses 1.1, 3.1 to 3.3, inclusive, 4.1, 5.1 a), 5.2, 5.5 to 5.7, 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)

3.2 Public Participation Meeting - Application - 3425 Emily Carr Lane (North Portion) - Draft Plan of Subdivision Approval and Zoning By-law Amendment 39T-18506 (Z-8988)

Moved by: S. Turner

Seconded by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 2557727 Ontario Inc., relating to the property located at 3425 Emily Carr Lane:

a) the proposed by-law appended to the staff report dated April 15, 2019 BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the London Plan and the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR4) Zone TO a Holding Residential R1 Special Provision (h*h-100*R1-3 (7)) Zone and a Holding Residential R1 Special Provision (h*h-94*h-100*R1-3(7)) Zone to permit single detached dwellings with a 11 metre minimum lot frontage and 300 m² minimum lot area;

it being noted that the following holdings provision have also been applied:

- (h) holding provision - to ensure that there is orderly development through the execution of a subdivision agreement and the provision of adequate securities;
- (h-94) holding provision- to ensure that there is a consistent lotting pattern in this area, the "h-94" symbol shall not be deleted until the block has been consolidated with adjacent lands; and,
- (h-100) holding provision - to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol;

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application by 2557727 Ontario Inc. for draft plan of subdivision relating to the property located at 3425 Emily Carr Lane;

c) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the recommended plan of residential subdivision, which shows 48 single detached lots, seven (7) part lot blocks and two (2) local public street SUBJECT TO the conditions contained in Appendix "39T-18506" appended to the staff report dated April 15, 2019;

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 residential development is consistent with the Provincial Policy Statement;
- the draft plan conforms to the Neighbourhood designation policies of The London Plan;
- the proposed road and lot pattern is integrated with a future subdivision to the south, and an existing residential subdivision to the east with public road access provided by an extension of Emily Carr Way and Street "A";
- the recommended zoning and conditions of draft approval will ensure that development of services occurs in an orderly manner; and,
- the recommended development represents good land use planning. (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: P. Squire

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, P. Squire, and S. Turner

Absent: (2): J. Helmer, and E. Holder

Motion Passed (4 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)

3.3 Public Participation Meeting - Application - 2170 Wharncliffe Road South (TZ-8999)

Moved by: M. Cassidy

Seconded by: P. Squire

That, on the recommendation of the Director, Development Services, with respect to the application of Cedar Auto London Limited, relating to the property located at 2170 Wharncliffe Road South, the proposed by-law appended to the staff report dated April 15, 2019 BE INTRODUCED at the Municipal Council meeting on April 23, 2019 to amend Zoning By-law No.

Z.-1, (in conformity with the Official Plan), by extending the Temporary Use (T-72) Zone for a period not exceeding two (2) years:

it being noted that the owner will use the two (2) year time period to plan for, receive the appropriate approvals, and construct a permanent building to replace the temporary trailer; and,

it being further noted that during the two (2) year time period, City staff will monitor the property to ensure that all site operations are located on the portion of the property that is zoned Holding Arterial Commercial Special Provision/Temporary (h-17-h-142-AC2(11) /T-72) Zone and that there is only one trailer on the site, and that City staff will work with the property owner to establish an appropriate means of delineating the limits for automobile parking;

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

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

- the recommended extension of the temporary use of a trailer as a temporary sales office for a permitted automobile sales establishment, for a reduced two (2) year period is consistent with the Provincial Policy Statement, 2014;
- the recommended extension for a period of two (2) years conforms to the general intent and purpose of The London Plan, in particular Paragraph 1672 – Temporary Uses, by encouraging the removal of the temporary trailer and its replacement with a permanent structure in accordance with municipal development standards;
- the recommended extension for a period of two (2) years conforms to the general intent and purpose of the 1989 Official Plan, in particular the permitted uses for the Auto-oriented Commercial Corridor, and Section 19.4.5 – Temporary Use By-laws, by allowing a permitted commercial use to continue while encouraging the removal of the temporary trailer and its replacement with a permanent structure in accordance with municipal development standards; and,
- the recommended extension conforms to the general intent and purpose of the Southwest Area Secondary Plan, in particular the permitted uses for the Commercial lands in the Lambeth Residential Neighbourhood Area, which prevails over both the 1989 Official Plan and The London Plan where more detailed or alternative direction is provided in the Secondary Plan. (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: S. Turner

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)

3.4 Delegation - A. Tipping, Vice-Chair and M. A. Hodge, Advisory Committee on the Environment - 4th Report of the Advisory Committee on the Environment

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

That, the following actions be taken with respect to the 4th Report of the Advisory Committee on the Environment from its meeting held on April 3, 2019:

a) the following actions be taken with clause 2.1, relating to Chippewas of the Thames First Nations:

- i) clause 2.1 BE REFERRED to the City Clerk for consideration with the Advisory Committee review; and,
- ii) Government Relations staff BE ASKED to contact the neighbouring First Nations communities to discuss this matter; it being noted that clause 2.1 of the 4th Report of the Advisory Committee on the Environment reads as follows:

"Municipal Council BE REQUESTED to consider creating voting member positions on the Advisory Committee on the Environment and the Environmental and Ecological Planning Advisory Committee for each of the Indigenous communities that surround the City of London; it being noted that a verbal presentation from K. Riley, Chippewas of the Thames First Nation, with respect to the Chippewas of the Thames First Nation, was received;"

b) the following actions be taken with respect to Climate Change:

- i) the Civic Administration BE REQUESTED to report back on tangible actions that the municipality can undertake with respect to Climate Change at a future meeting of the appropriate Standing Committee;
- ii) the following Declaration of a Climate Emergency BE APPROVED:

"Whereas climate change is currently contributing to billions of dollars in property and infrastructure damage worldwide, stressing local and international economies;

Whereas climate change is currently jeopardizing the health and survival of many species and other natural environments worldwide, stressing local and international eco systems;

Whereas climate change is currently harming human populations through rising sea levels and other extraordinary phenomena like intense wildfires worldwide, stressing local and international communities;

Whereas recent international research has indicated a need for massive reduction in carbon emissions in the next 11 years to avoid further and devastating economic, ecological, and societal loss;

Whereas the climate in Canada is warming at twice the rate of the rest of the world, as per Canada's Changing Climate report;

Whereas current initiatives such as the green of the city's fleet and energy reduction initiatives are not sufficient to meet the targets as defined by the IPCC scientists,

Whereas an emergency can be defined as "an often dangerous situation requiring immediate action";

Whereas municipalities such as Kingston, Vancouver and Hamilton have already declared climate emergencies;

Therefore, a climate emergency BE DECLARED by the City of London for the purposes of naming, framing, and deepening our commitment to protecting our economy, our eco systems, and our community from climate change."; and,

c) clauses 1.1, 2.2, 3.1 to 3.6, inclusive, 5.2 to 5.4, inclusive, BE RECEIVED for information.

Motion Passed

Additional Votes:

Moved by: M. Cassidy

Seconded by: S. Turner

Motion to approve clause a), which reads as follows:

a) the following actions be taken with clause 2.1, relating to Chippewas of the Thames First Nations:

i) clause 2.1 BE REFERRED to the City Clerk for consideration with the Advisory Committee review; and,

ii) Government Relations staff BE ASKED to contact the neighbouring First Nations communities to discuss this matter; it being noted that clause 2.1 of the 4th Report of the Advisory Committee on the Environment reads as follows:

"Municipal Council BE REQUESTED to consider creating voting member positions on the Advisory Committee on the Environment and the Environmental and Ecological Planning Advisory Committee for each of the Indigenous communities that surround the City of London; it being noted that a verbal presentation from K. Riley, Chippewas of the Thames First Nation, with respect to the Chippewas of the Thames First Nation, was received."

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

Absent: (1): E. Holder

Motion Passed (5 to 0)

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

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

"b) the following actions be taken with respect to Climate Change:

i) the Civic Administration BE REQUESTED to report back on tangible actions that the municipality can undertake with respect to Climate Change at a future meeting of the appropriate Standing Committee."

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 move clause ii), which reads as follows:

ii) the following Declaration of a Climate Emergency BE APPROVED:

"Whereas climate change is currently contributing to billions of dollars in property and infrastructure damage worldwide, stressing local and international economies;

Whereas climate change is currently jeopardizing the health and survival of many species and other natural environments worldwide, stressing local and international eco systems;

Whereas climate change is currently harming human populations through rising sea levels and other extraordinary phenomena like intense wildfires worldwide, stressing local and international communities;

Whereas recent international research has indicated a need for massive reduction in carbon emissions in the next 11 years to avoid further and devastating economic, ecological, and societal loss;

Whereas the climate in Canada is warming at twice the rate of the rest of the world, as per Canada's Changing Climate report;

Whereas current initiatives such as the green of the city's fleet and energy reduction initiatives are not sufficient to meet the targets as defined by the IPCC scientists,

Whereas an emergency can be defined as "an often dangerous situation requiring immediate action";

Whereas municipalities such as Kingston, Vancouver and Hamilton have already declared climate emergencies;

Therefore, a climate emergency BE DECLARED by the City of London for the purposes of naming, framing, and deepening our commitment to protecting our economy, our eco systems, and our community from climate change.””

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

Nays: (1): P. Squire

Absent: (1): E. Holder

Motion Passed (4 to 1)

Moved by: M. Cassidy

Seconded by: J. Helmer

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

"c) clauses 1.1, 2.2, 3.1 to 3.6, inclusive, 5.2 to 5.4, inclusive, 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)

3.5 Public Participation Meeting- Application - 1201 Huron Street (Z-8985)

Moved by: M. Cassidy

Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, based on the application by Agathos Dentistry, relating to the property located at 1201 Huron Street, the proposed by-law appended to the staff report dated April 15, 2019 BE INTRODUCED at the Municipal Council meeting to be held on April 23, 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 Residential R1 (R1-9) Zone TO a Residential R1/Office Conversion Special Provision (R1-9/OC3(____)) Zone;

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

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

- the requested amendment is consistent with the policies of the Provincial Policy Statement, 2014;
- the requested amendment is in conformity with the maximum floor area policies for non-residential uses in the Neighbourhoods Place Type of The London Plan;
- the requested amendment is in conformity with the policies of the 1989 Official Plan; and,

- the requested amendment will recognize an existing non-conforming use which over time has demonstrated compatibility with the surrounding residential neighbourhood. (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: J. Helmer

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, P. Squire, and S. Turner

Absent: (2): M. Cassidy, and E. Holder

Motion Passed (4 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)

3.6 Public Participation Meeting - Demolition Request for Heritage Listed Property - 160 Oxford Street East

Moved by: J. Helmer

Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the demolition request for the heritage listed property located at 160 Oxford Street East:

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

b) the property at 160 Oxford Street East BE REMOVED from the Register (Inventory of Heritage Resources);

it being noted that the Planning and Environment Committee reviewed and received a communication dated April 12, 2019, from B. Jones and K. McKeating, 329 Victoria Street, with respect to this matter;

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-P10D/R01)

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

Nays: (1): P. Squire

Absent: (1): E. Holder

Motion Passed (4 to 1)

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: 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)

3.7 Public Participation Meeting - 6682 Fisher Lane (Z-9002)

Moved by: S. Turner

Seconded by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Joe Marche and Monique Rodriguez, relating to the property located at 6682 Fisher Lane:

a) the proposed by-law appended to the staff report dated April 15, 2019 BE INTRODUCED at the Municipal Council meeting to be held on April 23, 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 Agricultural AG (AG2) Zone and an Environmental Review (ER) Zone TO an Agricultural Special Provision/ Temporary (AG2(_)/T-_) Zone and an Environmental Review (ER) Zone; and,

b) subject to Policy 19.1.1. of the 1989 Official Plan, the land use designation of the subject site BE INTERPRETED as "Agriculture";

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2014;
- the recommended amendment conforms to the 1989 Official Plan policies and Farmland and Green Space Place type policies of The London Plan;
- the recommended amendment facilitates the continued use of an existing lot of record for a use that has been established on the subject site; and,
- the recommended temporary use will not continue on a long-term basis. (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: 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)

3.8 Public Participation Meeting - Application - 536 and 542 Windermere Road (Z-8945)

That it BE NOTED that the Planning and Environment Committee was unable to reach a majority decision with respect to the application by 2492222 Ontario Inc., relating to the property located at 536 and 542 Windermere Road and pursuant to Section 19.3 of the Council Procedure By-law, the matter is hereby submitted to the Municipal Council for its disposition;

it being noted that the Planning and Environment Committee reviewed and received a communication dated April 10, 2019, from P. Masterson, ConservaTree Inc., with respect to this matter;

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-D09)

Motion Passed

Additional Votes:

Moved by: M. Cassidy

Seconded by: A. Hopkins

That, the following actions be taken with respect to the application of 2492222 Ontario Inc., relating to the property located at 536 and 542 Windermere Road:

a) Zoning By-law No. Z-.1 attached as Appendix B BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2019 to change the zoning of the subject property to a Holding Residential R5 Special Provision (h-5•h-•*R5-5(_)) Zone to permit cluster townhouse dwellings and cluster stacked townhouse dwellings with a reduced minimum front yard depth of 2.1 metres, an increased maximum encroachment into the front yard depth of 0.2 metres from the front property line, and a reduced maximum height of 10.5 metres;

b) the request to amend Zoning By-law No. Z-.1 to change the zoning of the subject property FROM a Residential R1 (R1-6) Zone TO a Residential R5 Special Provision (R5-7(_)) Zone, BE REFUSED for the following reasons:

- i) the requested amendment does not conform to the residential intensification policies in the 1989 Official Plan or *The London Plan;
- ii) the requested amendment did not provide appropriate development standards to regulate the form of residential intensification and assist in minimizing or mitigating potential adverse impacts for adjacent land uses to ensure compatibility and a good fit with the receiving neighbourhood; and,
- iii) the Zoning By-law does not contemplate this level of residential intensity in a cluster townhouse form outside of Central London; and,

c) the trees on the westerly and northerly boundary BE PROTECTED AND BE PRESERVED with the exception of invasive species or trees that are in poor condition;

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

- the recommended amendment is consistent with the 2014 Provincial Policy Statement (“PPS”) which encourages intensification and infill as a means to manage growth and achieve a compact form of development within settlement areas. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future;
- the recommended amendment conforms to The London Plan which contemplates townhouses as a primary permitted use, and a minimum height of 2-storeys and maximum height of 4-storeys within the *Neighbourhoods Place Type where the property has frontage on a *Civic Boulevard. The subject lands represent an appropriate location for residential intensification, along a higher-order street at the periphery of an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the receiving neighbourhood. The recommended amendment would assist in providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities;
- the recommended amendment conforms to the 1989 Official Plan and would implement the residential intensification policies of the Low Density Residential (“LDR”) designation that contemplate residential intensification in the form of cluster townhouse dwellings and a density up to 75 uph. The recommended amendment would permit development at an intensity that is less than the upper range of the maximum density for

residential intensification within the LDR designation to ensure the form of development is appropriate for the site and the receiving neighbourhood. The recommended amendment would assist in providing housing options and opportunities for all people;

- in conformity to *The London Plan and the 1989 Official Plan policies that require a public Site Plan Approval (“SPA”) process for residential intensification proposals, a holding provision is recommended for public site plan review. The holding provision would allow the public a continued opportunity to comment on the form of development through the subsequent SPA process and ensure that the ultimate form of development is compatible with adjacent lands uses; and,
- consistent with the PPS and conforming to The London Plan and the 1989 Official Plan, a holding provision is recommended to ensure the subject lands area assessed for the presence of archaeological resources prior to site alteration or soil disturbance occurring. (2019-D09)

Yeas: (2): A. Hopkins, and M. Cassidy

Nays: (2): J. Helmer, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Failed (2 to 2)

Moved by: J. Helmer

Seconded by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 2492222 Ontario Inc., relating to the property located at 536 and 542 Windermere Road:

- a) the proposed by-law appended to the staff report dated April 15, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 23, 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 Residential R1 (R1-6) Zone TO a Holding Residential R5 Special Provision (h-5-h-*R5-5(_)) Zone;
- b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Residential R1 (R1-6) Zone TO a Residential R5 Special Provision (R5-7(_)) Zone, BE REFUSED for the following reasons:
 - i) the requested amendment does not conform to the residential intensification policies in the 1989 Official Plan or *The London Plan;
 - ii) the requested amendment did not provide appropriate development standards to regulate the form of residential intensification and assist in minimizing or mitigating potential adverse impacts for adjacent land uses to ensure compatibility and a good fit with the receiving neighbourhood; and,
 - iii) the Zoning By-law does not contemplate this level of residential intensity in a cluster townhouse form outside of Central London;

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

- the recommended amendment is consistent with the 2014 Provincial Policy Statement (“PPS”) which encourages intensification and infill as a means to manage growth and achieve a compact form of development within settlement areas. The PPS directs municipalities to

permit all forms of housing required to meet the needs of all residents present and future;

- the recommended amendment conforms to The London Plan which contemplates townhouses as a primary permitted use, and a minimum height of 2-storeys and maximum height of 4-storeys within the *Neighbourhoods Place Type where the property has frontage on a *Civic Boulevard. The subject lands represent an appropriate location for residential intensification, along a higher-order street at the periphery of an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the receiving neighbourhood. The recommended amendment would assist in providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities;
- the recommended amendment conforms to the 1989 Official Plan and would implement the residential intensification policies of the Low Density Residential (“LDR”) designation that contemplate residential intensification in the form of cluster townhouse dwellings and a density up to 75 uph. The recommended amendment would permit development at an intensity that is less than the upper range of the maximum density for residential intensification within the LDR designation to ensure the form of development is appropriate for the site and the receiving neighbourhood. The recommended amendment would assist in providing housing options and opportunities for all people;
- in conformity to *The London Plan and the 1989 Official Plan policies that require a public Site Plan Approval (“SPA”) process for residential intensification proposals, a holding provision is recommended for public site plan review. The holding provision would allow the public a continued opportunity to comment on the form of development through the subsequent SPA process and ensure that the ultimate form of development is compatible with adjacent lands uses; and,
- consistent with the PPS and conforming to The London Plan and the 1989 Official Plan, a holding provision is recommended to ensure the subject lands area assessed for the presence of archaeological resources prior to site alteration or soil disturbance occurring. (2019-D09)

Yeas: (2): J. Helmer, and P. Squire

Nays: (2): A. Hopkins, and M. Cassidy

Absent: (2): S. Turner, and E. Holder

Motion Failed (2 to 2)

Moved by: M. Cassidy

Seconded by: J. Helmer

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, P. Squire, and S. Turner

Absent: (2): J. Helmer, and E. Holder

Motion Passed (4 to 0)

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

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Absent: (2): S. Turner, and E. Holder

Motion Passed (4 to 0)

4. Items for Direction

4.1 Repeal of Building By-law B-6 and Proposed Building By-law B-7

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

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the following actions be taken with respect to the repeal of Building By-law B-6 and the proposed Building By-law B-7:

- a) the staff report dated April 15, 2019 entitled "Repeal of Building By-law B-6 and Proposed Building By-law B-7" BE RECEIVED for information; and,
- b) the Civic Administration BE REQUESTED to hold a public participation meeting with respect to the proposed Building By-law B-7 and the repeal of Building By-law B-6 at a future meeting of the Planning and Environment Committee. (2019-C01A)

Yeas: (3): A. Hopkins, J. Helmer, and M. Cassidy

Absent: (3): P. Squire, S. Turner, and E. Holder

Motion Passed (3 to 0)

4.2 Request for Delegation Status - R. Sidhu, Argyle Business Improvement Area - Community Improvement Plan (CIP) Study Request for the Argyle BIA and Surrounding Area

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

That R. Sidhu, Executive Director, Argyle Business Improvement Area, BE GRANTED delegation status at a future Planning and Environment Committee meeting with respect to the request for a Community Improvement Plan study for the Argyle Business Improvement Area and surrounding area. (2019-D09)

Yeas: (3): A. Hopkins, J. Helmer, and M. Cassidy

Absent: (3): P. Squire, S. Turner, and E. Holder

Motion Passed (3 to 0)

5. Deferred Matters/Additional Business

5.1 (ADDED) 5th 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 5th Report of the London Advisory Committee on Heritage, from its meeting held on April 10, 2019:

a) on the recommendation of the Director of Development Services, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to construct a new high-rise building on the property located at 131 King Street, within the Downtown Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated April 10, 2019, subject to the following terms and conditions:

- i) the Heritage Planner 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,
- ii) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that presentations from L. Dent, Heritage Planner and T. Dingman appended to the 5th Report of the London Advisory Committee on Heritage, with respect to this matter, were received;

b) the following actions be taken with respect to the One River Master Plan Environmental Assessment Cultural Heritage Assessment Reports (CHAR):

- i) A. Rammeloo, Division Manager, Engineering, BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the conclusions of the CHAR for the Springbank Dam and "Back to the River" Schedule B Municipal Class Environmental Assessment, dated April 2, 2019, from Golder Associates Ltd.; it being noted that the LACH prefers Alternative 2, partial dam removal; and,
- ii) A. Rammeloo, Division Manager, Engineering, BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the conclusions of the CHAR for the Forks Area and "Back to the River" Schedule B Municipal Class Environmental Assessment, dated April 2, 2019, from Golder Associates Ltd.; it being noted that the LACH does not support Alternatives 1 and 3 and, instead, prefers vegetated terracing for the area;

it being noted that a presentation from A. Rammeloo, Division Manager, Engineering, and a verbal delegation from C. Butler, appended to the 5th Report of the London Advisory Committee on Heritage, with respect to this matter, were received;

c) K. Killen, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage (LACH) is supportive of the Draft Old East Village Dundas Street Corridor Secondary Plan, dated February 2019; it being noted that the LACH supports a stronger approach to mandatory ground floor active uses being considered along the entire stretch of Dundas Street; it being further noted that the presentation from K. Killen, Senior Planner, appended to the 5th Report of the London Advisory Committee on Heritage, with respect to this matter, was received;

d) P. Lupton, Environmental Services Engineer, BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the conclusions of the Cultural Heritage Screening Memo, contained within the Long Term Water Storage Municipal Class Environmental Assessment dated March 26, 2019, from AECOM; it being noted that the LACH supports the preferred alternative of the Springbank Reservoir and that a stage 1-2 archaeological assessment should be done at the location; it being further noted that a presentation from P. Lupton, Environmental Services Engineer, appended to the 5th Report of the London Advisory Committee on Heritage, with respect to this matter, was received;

e) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the demolition request for the heritage listed property located at 160 Oxford Street East:

- i) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the building on this property; and,
- ii) the property at 160 Oxford Street East BE REMOVED from the Register (Inventory of Heritage Resources);

it being noted that the London Advisory Committee on Heritage encourages the applicant to maintain the building and vegetation on the above-noted property until a redevelopment plan is submitted;

it being further noted that a presentation from K. Gonyou, Heritage Planner as well as verbal delegations from B. Jones and K. McKeating, appended to the 5th Report of the London Advisory Committee on Heritage, with respect to this matter, were received;

f) the revised 2018 London Advisory Committee on Heritage Work Plan Summary appended to the 5th Report of the London Advisory Committee on Heritage, BE FORWARDED to the Municipal Council for their information;

g) the expenditure of \$200.00 from the 2019 London Advisory Committee on Heritage (LACH) budget BE APPROVED for M. Whalley to attend the 2019 Ontario Heritage Conference being held May 30 to June 1, 2019; it being noted that the LACH has sufficient funds in its 2019 budget to cover this expense; and,

h) clauses 1.1, 3.1 to 3.4, inclusive, 4.1 and 5.3 BE RECEIVED for information.

Yeas: (3): A. Hopkins, J. Helmer, and M. Cassidy

Absent: (3): P. Squire, S. Turner, and E. Holder

Motion Passed (3 to 0)

6. Adjournment

The meeting adjourned at 8:43 PM.