

**1ST REPORT OF THE**  
**PLANNING AND ENVIRONMENT COMMITTEE**

Meeting held on January 8, 2013, commencing at 4:20 PM, in the Council Chambers, Second Floor, London City Hall.

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

**ABSENT:** Councillor N. Branscombe.

**ALSO PRESENT:** Mayor J.F. Fontana and Councillor J.L. Baechler, G. Barrett, S. Bellaire, M. Corby, M. Elmadhoon, J.M. Fleming, T. Grawey, M. Henderson, P. Kokkoros, G. Kotsifas, B. Krichker, J. Leunissen, D. Menard, N. Musicco, R. Sharpe, C. Smith, M. Tomazincic and J. Yanchula.

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**I. DISCLOSURES OF PECUNIARY INTEREST**

1. That it **BE NOTED** that Councillor P. Hubert disclosed a pecuniary interest in clause 13 of this Report having to do with the application of Richmond Corporate Centre Inc. relating to the properties located at 142 Horton Street East and 291, 297, 303 and 305 Richmond Street, as there is a private career college in the circulation area, by indicating that he operates a private career college.

**II. CONSENT ITEMS**

2. 1460 Hamilton Road Subdivision (39T-04509/39T-07506)

Recommendation: That, on the recommendation of the Manager, Development Planning, the attached Subdivision Amendment Agreement, relating to the subdivision agreement between The Corporation of the City of London and Futurestreets Inc., for the Futurestreets Subdivision, which was registered on June 26, 2009, as Instrument Number ER648737, **BE APPROVED**.

3. Building Division Monthly Report for October 2012

Recommendation: That the Building Division Monthly Report for October 2012, **BE RECEIVED**. (2012-D00-00)

**III. SCHEDULED ITEMS**

4. 1st Report of the London Advisory Committee on Heritage

Recommendation: That, the following actions be taken with respect to the 1st Report of the London Advisory Committee on Heritage (LACH) from its meeting held on December 12, 2012:

- a) on the recommendation of the Director of Land Use Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of A. Premat requesting permission for an alteration to the porch of the designated heritage property located at 62 Palace Street **BE APPROVED**; it being noted that the Heritage Planner has reviewed the changes and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible;
- b) a notice of the Municipal Council's intention to designate the property located at 2950 Glanworth Drive to be of cultural heritage value or interest **BE GIVEN**, for the attached reasons, under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O.18*; it being noted that the owners of the subject property (London Public Library) have concurred with this recommendation, with the understanding that the land to be included in the designation will be as shown on the assessment roll;

- c) notwithstanding the recommendation of the London Advisory Committee on Heritage (LACH), on the recommendation of the Director of Land Use Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of Farhi Holdings requesting permission for an exterior sign addition between the second and third stories to the designated heritage property located at 451 Ridout Street North **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed sign and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible;

it being further noted that the LACH reviewed and received the attached Report, dated December 12, 2012, from the Managing Director, Land Use Planning and City Planner, with respect to this matter;

- d) the Heritage Alteration Permit Application from T. Forster requesting permission for an alteration to the designated heritage property located at 849 Princess Avenue for changes already made to the existing porch and changes to complete the work, **BE DEFERRED** until the owner is agreeable to lowering the porch railing to its previous height; it being noted that the Building Division would have to approve the recommendation for the lower railing height; it being further noted that the London Advisory Committee on Heritage (LACH) reviewed and received a Report, dated December 12, 2012, from the Managing Director, Land Use Planning and City Planner, with respect to this matter;
- e) that the London Advisory Committee on Heritage (LACH) **BE ALLOWED** to retain its 2012 Budget surplus in the approximate amount of \$4,498, for use in 2013, for the purchase of interpretive signage for the Tempo VII Hydroplane and the replacement of a bronze heritage plaque commemorating the former Supertest station located on Carfrae Crescent; it being noted that the Supertest station plaque was reported stolen on December 5, 2012 and was valued at \$3,700; and,
- f) that clauses 6 to 19, inclusive, of the 1st Report of the London Advisory Committee on Heritage (LACH), **BE RECEIVED**;

it being noted that the Planning and Environment Committee heard a verbal presentation from G. Goodlet, Chair, LACH, with respect to these matters.

#### 5. 2nd Report of the Agricultural Advisory Committee

Recommendation: That, the following actions be taken with respect to the 2nd Report of the Agricultural Advisory Committee (AAC) from its meeting held on November 21, 2012:

- a) the Civic Administration **BE REQUESTED** to undertake the following actions, with respect to the Agricultural Advisory Committee Terms of Reference:
- i) no further action with respect to the inclusion of a National Farmers Union representative and alternate, as voting members, noting that organizations should submit a formal request for consideration for committee membership, where appropriate;
  - ii) no further action be taken with respect to modifying the language of the AAC mandate from “secure, economically viable agricultural industry” to “secure & sustainable agricultural community”; and,
  - iii) a revision to the Terms of Reference be undertaken to encompass Urban Agriculture;

it being noted that the AAC held general discussion with respect to these matters; and,

- b) that clauses 2 to 6, inclusive, of the 2nd Report of the Agricultural Advisory Committee (AAC), **BE RECEIVED**;

it being noted that the Planning and Environment Committee heard a verbal presentation from H. Fletcher, Chair, AAC, with respect to these matters.

6. Property located at 373 Wharnccliffe Road South (Z-8116)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Zelinka Priamo Limited, relating to the property located at 373 Wharnccliffe Road South, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 15, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), **FROM** an Arterial Commercial (AC4/AC5) Zone, which permits such uses as animal hospitals, dwelling units above the first floor, bake shops, catalogue stores, clinics, convenience service establishments, duplicating shops, food stores, financial institutions, home and auto supply stores, medical/dental offices, offices, personal service establishments, printing establishments, restaurants, eat-in, retail stores, service and repair establishments, studios, video rental establishments, brewing on premises establishment, automobile repair garages, automotive uses, restricted and taverns **TO** an Arterial Commercial Special Provision (AC2( )/AC4/AC5) Zone, which permits the above uses in addition to animal hospitals, dwelling units above the first floor, clinics, convenience stores, convenience service establishments, duplicating shops, florist shops, medical/dental laboratories, medical/dental offices, offices, personal service establishments, accessory dwelling units, converted dwellings, day care centres, emergency care establishments, existing dwellings, group home type 2, lodging house class 2 and 'automobile sales and service establishments', with a minimum 0.5 metre parking area setback from Langarth Street and a minimum interior yard (west) setback of 0.6 metres;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2012-D11-08)

7. Amendment to Planning Fees By-law CP-18 - Applications Under the Feed-In Tariff (FIT) Program

Recommendation: That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 15, 2013, for the purpose of amending Planning Fees By-law No. CP-18 by adding Schedule "D", which establishes fees for municipal input on local renewable electricity generation projects seeking Ontario Feed-in-Tariff (FIT) contracts;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2012-G05-00)

8. Property located at 585 Third Street (TZ-8112)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Nelson-Wolfe Developments Inc., relating to the property located at 585 Third Street, the attached, revised, proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 15, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to extend the Temporary (T-55) Zone, to permit a repair and rental establishment, warehouse, service and repair establishment, service trade, office, and convenience store with no outdoor storage for any of the permitted uses for a further three (3) year period;

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

9. Property located at 1900 Huron Street (Z-8108)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of 1253634 Ontario Ltd., relating to the property located at 1900 Huron Street, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 15, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property **FROM** a Light Industrial/Service Station (LI4/SS) Zone, which permits a wide range of light industrial, commercial, small scale office uses and gas bars **TO** a Holding Light Industrial/Restricted Service Commercial (h-11\*LI4/RSC4) Zone, to permit automobile repair garages, moderate intensity commercial uses and trade service uses while maintaining the existing Light Industrial uses and a holding provision to provide for appropriate access arrangements to the site;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2012-D11-06)

10. Property located at 2371 Highbury Avenue North (Z-8078)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the application of The Y Group Investments & Management Inc., relating to the property located at 2371 Highbury Avenue North, and a portion of a vacant parcel located at the northwest corner of Highbury Avenue North and Sunningdale Road East, the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject properties **FROM** a Residential R1 (R1-14) Zone, which permits Single Detached Dwellings and an Urban Reserve (UR3) Zone, which permits existing dwellings, some agricultural uses, conservation lands, managed woodlot, wayside pit, passive recreation uses, kennels, private outdoor recreation clubs, and riding stables, **TO** a Holding Neighbourhood Shopping Area (h•NSA3) Zone, to permit a wide range of commercial, retail and office type uses as well as apartment buildings with residential units above the first floor, **BE REFUSED** for the following reasons:

- i) the proposal is inconsistent with the policies of the Provincial Policy Statement, 2005, which do not permit partial services for the proposed form of development;
- ii) the proposal is inconsistent with the policies of the City of London Official Plan which do not permit individual on-site wastewater treatment for new commercial development;
- iii) the Urban Reserve Zone is intended to protect large tracts of land from premature subdivision and development in order to provide for future comprehensive development on those lands (i.e. plan of subdivision) whereas the requested amendments would facilitate the premature subdivision of land; and,
- iv) the subject lands should be re-zoned and developed comprehensively in conjunction with a plan of subdivision in order to fulfill its planned function to serve the needs of the surrounding community when a planned community is in place;

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

- John Ross, 1150 Fanshawe Park Road East – advising that his concerns are reflected in the Civic Administration’s recommendation and his letter to the Planner, as provided in Appendix ‘A’ to the Civic Administrations’ report.
- Clarence Davidson, 2377 Highbury Avenue North – advising that they are interested in the outcome of the application. (2012-D11-07)

11. Properties located at 1461-1465 Oxford Street East and 613-629 First Street

Recommendation: That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of the Adamas Group for a 15 storey apartment building with 126 three, four and five bedroom units at 1461-1465 Oxford Street East and 613-629 First Street:

- a) the Approval Authority **BE ADVISED** that at the public participation meeting of the Planning and Environment Committee held with respect to this matter, issues were raised with respect to the blank wall on the west side of the building and the potential for the students to drink alcoholic beverages on the patio;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the site plan application for a 15 storey apartment building with 126 three, four and five bedroom units, with the following amendments:
  - i) request the developer install a 2.4 metre (8 foot) fence on the west side of the building; and,
  - ii) request the developer install windows along the west side of the building;
- c) the Civic Administration **BE REQUESTED** to look at the installation of an advanced green left hand turn signal on First Street, at the intersection of Oxford Street;

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

- Agnes Murray, 603 First Street – see attached presentation.
- Harry Froussios, Zelinka Priamo Ltd, on behalf of the applicant – advising that the design objectives need to be addressed before the site plan can be approved; indicating that he needs to review the Ontario Municipal Board decision relating to the windows on the west side of the building.
- Peter White, London Economic Development Corporation – advising that he has been working with the Domas Group for over 18 months; advising that Fanshawe College is making major program and building enhancements; advising that this building will closely resemble the enhancements that Fanshawe College has made to its buildings; indicating that London is trying to attract international students; advising that this model will be implemented across Ontario and Canada. (2012-D25-00)

12. Properties located at 1235-1253 Richmond Street

Recommendation: That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of Zelinka Priamo Ltd for a 19 storey apartment building with 311 two bedroom units at 1235-1253 Richmond Street:

- a) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for site plan approval; and,
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the site plan application for a 19 storey apartment building with 311 two bedroom units;

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

- Harry Froussios, Zelinka Priamo Ltd, on behalf of the applicant – advising that he will be meeting with the Civic Administration on Wednesday morning; advising that they need to have a site plan similar to what is on the Planning and Environment Agenda to keep their bonusing.

- Brenda Kellar-Parsons, 1246 Richmond Street – advising that there will be increased traffic with the number of new units being built; indicating that she does not know where the driveways will be located; indicating that the idea of a bus bay is an excellent idea; enquiring as to where the bus stop is going to be relocated; enquiring as to whether or not a traffic study in this area of Richmond Street has been completed; enquiring as to whether or not a parking study has been done for the reduced parking on this site; enquiring as to whether or not the reduced parking for this site has been approved; indicating that she does not like the shadow that this building will put on her property; enquiring as to how construction and noise will be handled; requesting that the City ensures that the builder will not go bankrupt during the building process; indicating that the increased number of students will increase the use of Ross Park and will increase the City's maintenance fees; and enquiring as to when the project is scheduled to start.
  - Jake Riffel, 82 Victoria Street – advising that he is a resident of North London; expressing curiosity with respect to who is going to be using the 600 extra beds; noting that approximately 120 single family homes are currently rented to students; and enquiring as to whether the dilapidated student house beside him will become vacant once this building is built and sold at a discount. (2012-D25-00)
13. Properties located at 142 Horton Street East and 291, 297, 303 and 305 Richmond Street (OZ-8107)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Richmond Corporate Centre Inc., relating to the properties located at 142 Horton Street East and 291, 297, 303 and 305 Richmond Street:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 15, 2013, to amend the Official Plan to change the designation of the subject lands **FROM** a Light Industrial designation **TO** an Office Area designation, to permit the office use not in association with an industrial use;
- b) the attached, revised, proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 15, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property **FROM** a Light Industrial (LI2) Zone, which permits light manufacturing uses which are typically contained wholly within a building **TO** an Office Special Provision (OF8( )) Zone, which permits a maximum gross floor area of 4,663 square metres, commercial recreational use with a maximum gross floor area of 1,125 square metres, commercial school uses with a maximum gross floor area of 1,765 square metres, a minimum exterior side yard setback of 1.0 metres, a minimum front, rear and exterior side yard setback to a parking area of 0.0 metres, a minimum landscaped open space of 8%, a minimum of 80 bicycle parking spaces and 110 vehicular parking spaces including 6 barrier free spaces minimum based on a gross floor area of 4,663 metres<sup>2</sup>;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated October 13, 2012, from T. Park, SoHo Community Association, with respect to this matter;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2012-D11-06)

#### IV. ITEMS FOR DIRECTION

14. 3rd Report of the Trees and Forests Advisory Committee

Recommendation: That, the following actions be taken with respect to the 3rd Report of the Trees and Forests Advisory Committee (TFAC) from its meeting held on November 28, 2012:

- a) the Managing Director, Planning and City Planner **BE REQUESTED** to allow the Tree Conservation By-law review to remain open for comments until such time as the Trees and Forests Advisory Committee (TFAC) has had an opportunity to provide its feedback on the Urban Forestry Strategy, noting its immediate response timeframe;

it being noted that the TFAC reviewed and received a communication from I. Listar, Manager, Urban Forestry, with respect to the Tree Conservation By-law and a communication from S. Rowland, Urban Forestry Planner with respect to the Draft Urban Forestry Strategy Report; it being further noted that the TFAC determined that the Urban Forestry Strategy should be a priority for its Working Group to review, and will meet in December to discuss and provide comment. The TFAC asked that the Working Group comments arising from its meeting be forwarded directly to the Civic Administration for their information, and placed on the next agenda of the TFAC; and,

- b) that clauses 2 to 9, inclusive, of the 3rd Report of the Trees and Forests Advisory Committee (TFAC), **BE RECEIVED**.

15. Election of Vice Chair for the term ending November 30, 2013

Recommendation: That Councillor S. White **BE ELECTED** as Vice Chair of the Planning and Environment Committee for the term ending November 30, 2013.

#### V. DEFERRED MATTERS/ADDITIONAL BUSINESS

16. Property located at 527 Wellington Road South

Recommendation: Pursuant to Section 2.8 of the Council Procedure By-law, a special Planning and Environment Committee meeting **BE HELD** at Centennial Hall, at 7:00 p.m. on Tuesday, February 19, 2013, for the purpose of hearing public submissions relating to the proposed methadone clinic at 527 Wellington Road South.

17. Hamilton Road Businesses

Recommendation: That the Civic Administration **BE REQUESTED** to study the Hamilton Road area to allow businesses to open without having parking on their property.

#### VI. ADJOURNMENT

The meeting adjourned at 6:48 p.m.