

**19TH REPORT OF THE**  
**BUILT AND NATURAL ENVIRONMENT COMMITTEE**

Meeting held on August 15, 2011, commencing at 4:00 p.m.

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

ALSO PRESENT: Mayor J. Fontana, Councillors N. Branscombe, J. P. Bryant and P. Hubert (all part-time), J. Braam, J. M. Fleming, P. McNally, D. Ailles, G. Barrett, P. Christiaans, J. Clark, D. Cribbs, M. Hefferton, J. Jackson, T. Johnson, P. Kokkoros, G. Kotsifas, B. Krichker, J. Leunissen, J. Lucas, S. Maguire, J. Martin, S. Meksula, E. Mogck, N. Musicco, A. Riley, M. Ruddy, C. Smith, R. Standish, D. Stanlake, B. Turcotte, B. Warner and R. Welker.

**I YOUR COMMITTEE RECOMMENDS:**

New No. 7 Fire  
Station –  
Project PP1089  
- RFP 11-002

1. (4) That, on the recommendation of the Managing Director – Corporate Assets and the Fire Chief, the following actions be taken with respect to the appointment of an architect for the new No. 7 Fire Station (Project PP1089):

- (a) the proposal submitted by Cornerstone Architecture, 110-700 Richmond Street, London, Ontario N6A 5C7, in the amount of \$133,500.00, including a disbursements allowance of \$5,000, and excluding HST, **BE ACCEPTED**; it being pointed out that the proposal submitted by Cornerstone Architecture was deemed to provide the best technical and financial value to the Corporation, meets the City's requirements in all areas and its acceptance is in accordance with Section 15.2 of the Procurement of Goods and Services Policy;
- (b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report, attached as Appendix "A";
- (c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts which are necessary in connection with the project; and,
- (d) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the contractor for the work. (2011-P09-00)

Municipality of  
Middlesex  
Centre Request  
– Sanitary  
Servicing for  
Arva

2. (6, Added, Added) That the Civic Administration **BE DIRECTED** to:

- (a) draft an amendment to the servicing agreement between The Corporation of the City of London and the Municipality of Middlesex Centre which includes:
  - (i) additional sewer servicing capacity;
  - (ii) the use of development charges; and,
  - (iii) potential ongoing revenue mechanisms;
- (b) provide the appropriate Standing Committee with any potential subsequent agreement, for review and approval;

it being noted that the Civic Administration was asked to report back to a future meeting of the Built and Natural Environment Committee with respect to this matter;

it being further noted that the Built and Natural Environment Committee reviewed and received the attached communication dated August 15, 2011, from L. Langdon, Executive Director, London Home Builders' Association, with respect to this matter. (2011-W10-00)

Water, Sanitary  
and Storm Rate  
Structure  
Review – Fixed  
Rate for Water  
and Sanitary  
Charges

3. (7) That, on the recommendation of the Director of Water and City Engineer, the Civic Administration **BE DIRECTED** to take the following actions with respect to the proposed fixed rate structure for water and sanitary charges as part of the water, sanitary and storm rate structure review:

BNEC - 2

- (a) prepare a proposal for a fixed rate component to the charges for water and sanitary servicing which is consistent with fixed costs related to billing and capital renewal;
- (b) inform stakeholders of the need for the proposed change(s) to the rates, the rationale for any proposed change(s) and the potential impact of any changes to customers; and,
- (c) hold a public participation meeting at a Built and Natural Environment Committee meeting in the Fall of 2011, for the purpose of receiving public input; and, if appropriate;
- (d) report back with a by-law to authorize the implementation of a rate structure change related to a fixed component to the water and sanitary rates, with the 2012 Budget;

it being noted that the structural change will be revenue neutral and no additional revenues will be realized in the 2012 Budget year; and,

it being further noted that this is an interim measure and subsequent changes to the rate structures, as previously presented, will be brought before the appropriate Standing Committee in 2012. (2011-W10-00/F17-00)

Winter  
Maintenance  
Equipment,  
Operators and  
Trucks with  
Sander/Salter  
Bodies with  
Plow – Tender  
11-56

4. (8) That, on the recommendation of the Director of Water and City Engineer, the following actions be taken with respect to the purchase of winter maintenance equipment with operators – trucks with sand/salter bodies:

- (a) the tender bids received for winter maintenance equipment with operators, trucks with sander/salter bodies **BE ACCEPTED**, as follows:
  - (i) B & A Davies Trucking Inc., 5279 Colonel Talbot Road, London, ON N6P 1H8 – 4 Units \$117.75/hr., \$118.75/hr., \$123.93/hr. and \$134.43/hr.;
  - (ii) Mobil Striping & Sweeping Ltd., 35 Bayview Court, London, ON N5W 5W4 – 2 Units \$124.50/hr. and \$124.50/hr.;
  - (iii) Edgar Diversified Inc., 28 Portal Crescent, London, ON N5X 2E4 – 1 Unit \$128.00/hr.;
  - (iii) BLR Contracting & Excavating, 250 West Street, Belmont, ON N0L 1B0 - 2 Units \$129.40/hr. and \$139.40/hr.;
  - (iv) Roy Wonnacott Trucking Ltd., 5309 Nine Mile Road, R.R. #3, Ilderton, ON N0M 2A0 – 2 Units \$134.00/hr. and \$138.00/hr.;
  - (v) 1841635 Ontario Inc., 15095 Eight Mile Road, Arva, ON N0M 1G0 – 2 Units \$138.00/hr. and \$138.00/hr.;
  - (vi) A.C. Hunter Trucking Ltd., 1781 Phillbrook Court, London, ON N5X 2Z3 – 1 Unit \$138.88/hr.;
  - (vii) S & B Construction Ltd., 36312 Talbot Line, Shedden, ON N0L 2E0 – 2 Units \$137.99/hr. and \$139.99/hr.; and,
  - (viii) Allan Cunningham, 35317 Coursey Line, R.R. #1, Lucan, ON N0M 2J0 – 2 Units \$134.75/hr. and \$134.75/hr.;
- (b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with these contracts; and,
- (c) approval hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2011-V04-00)

Greenway  
Flotation  
Building  
Upgrades –  
Project No.  
ES5083 –  
Tender 11-71

5. (10) That, on the recommendation of the Director Wastewater and Treatment and the Managing Director - Corporate Assets, the following actions be taken with respect to the Greenway Flotation building upgrades, (ES5083):

- (a) the bid submitted by Elgin Contracting and Restoration Ltd., 100 Ross Street, St. Thomas, Ontario N5R 3X8, in the amount of \$259,000.00, excluding HST, **BE ACCEPTED**; it being noted that the bid submitted was an irregular bid as only one (1) bid was received and the irregular bid process was followed for this project and the irregular bid meets all terms, conditions and specifications of the City;
- (b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts which are necessary in connection with this project; and,
- (d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the contractor for the work. (2011-W13-00)

Fox Hollow  
Development  
Area SWM  
Facility #2 –  
Depressuri-  
zation Wells &  
Groundwater  
Works – Tender  
11-40

6. (11) That, on the recommendation of the Director, Wastewater and Treatment, the unexpended funds and remaining contingency from the Stormwater Management Facility #2 site preparation contract (Tender T11-13) **BE TRANSFERRED** to the Construction Contract for the Fox Hollow Development Area SWM Facility #2 (Tender T11-40) for the construction of depressurization wells. (2011-W10-02)

Stoney Creek  
Erosion Control  
Wetland SWM  
Facility  
Construction  
Project No.  
ES2477 –  
Tender 11-12

7. (12) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the construction of the Stoney Creek Erosion Control Wetland Stormwater Management Facility:

- (a) the bid submitted by Bre-Ex Limited, 1069 Wellington Road, London, ON N6E 2H6, in the amount of \$1,726,679.88, excluding HST, **BE ACCEPTED**; it being noted that the bid submitted by Bre-Ex Limited was the lowest of seven (7) pre-qualified bids received and meets the City's specifications and requirements in all areas;
- (b) Delcan Consulting, 1069 Wellington Road, London, ON N6E 2H6, **BE AUTHORIZED** to carry out the Inspection and General Construction Administration, in accordance with the estimated amount of \$195,000, including contingency, excluding HST, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- (c) the financing for this work **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";
- (d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this work;
- (e) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; and,
- (f) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (2011-W10-02)

2011 Sanitary  
Sewer  
Improvement  
Project –  
Fitzwilliam  
Boulevard  
Project No's  
ES2464 &  
ES5424 –  
Tender 11-67

8. (13) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the construction of Fitzwilliam Boulevard Sanitary Sewer Improvement (ES2464 and ES5424):

- (a) the bid submitted by TRI-CON Excavating Inc., 113-4023 Meadowbrook Drive, London ON, N6L 1E7, in the amount of \$309,686.70, excluding HST, **BE ACCEPTED**; it being noted that the bid submitted by TRI-CON Excavating Inc. was the lowest of 6 bids received and meets the City's specifications and requirements in all areas;
- (b) minor future additional annual operating costs of \$400.00 **BE RECOGNIZED** as a result of this project; it being noted that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Wastewater & Treatment operating budgets;
- (c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";
- (d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- (e) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract for the material to be supplied and the work to be done; and,
- (f) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (2011-W10-01)

Innovation Park  
Industrial  
Subdivision  
Phases 1 and 2  
– Site Grading  
and Surface  
Works – Project  
No's. ID1168-  
1239 & ID1168 -  
Tender 11-78

9. (14) That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to Phases 1 and 2, Site Grading and Surface Works Project, for the Innovation Park Industrial Subdivision, (ID1168-1239 and ID1168):

- (a) the bid submitted by L82 Construction Ltd., 2070 Huron Street, London, Ontario, N5V 5A7, in the amount of \$2,777,750.00, excluding HST, **BE ACCEPTED**; it being noted that the bid submitted by L82 Construction Ltd. was the lowest of 3 bids received and meets the City's specifications and requirements in all areas;
- (b) the financing for the project **BE APPROVED** in accordance with the Sources of Financing Report attached hereto as Appendix 'A';
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- (d) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 11-78); and,
- (e) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations;

it being recognized that this project is being made possible through the Infrastructure Stimulus Fund Program, funded jointly by the federal and provincial governments and by the City. These investments in jobs total almost \$100 million for London and will provide an immediate and positive impact on our community and our economy; it being noted that the award of this contract is in compliance with the Corporation's Purchasing By-law and Policy; it being further noted that this project reflects a successful Project Scope Change Application in an effort to fully utilize available stimulus funding. (2011-D26-01)

Greenway PCP  
Incinerator No.  
1 – Decommis-  
sioning (Multi-  
Hearth) –  
Project No.  
ES2095 –  
Tender 11-72

10. (15) That, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the decommissioning of the Greenway Pollution Control Center Incinerator No. 1:

- (a) the proposal submitted by Quantum Murray BP Inc., 345 Horner Avenue, Suite 300, Toronto Ontario, M8W 1Z6, in the amount of \$937,000.00, excluding HST, **BE ACCEPTED**; it being noted that the tender submitted by Quantum Murray BP Inc. was deemed to provide the best value of the two submitted bids;
- (b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix 'A';
- (c) AECOM Canada Ltd., 250 York Street, Suite 410, London, Ontario K6A 6K2, **BE AUTHORIZED** to carry out the resident inspection and contract administration in accordance with the estimate, on file, to an upset limit of \$240,660.00 excluding H.S.T., noting that this firm completed the demolition design, based upon the Fee Guideline for Professional Engineering Services 2006. The award is in accordance with Section 15, Clause 15.2 (g) of the Procurement of Goods and Services Policy;
- (d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with these projects; and,
- (e) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done. (2011-W06-00)

Amendments to  
the Traffic and  
Parking By-law

11. (17,45) That, notwithstanding the recommendation of the Acting Director, Roads & Transportation, the proposed by-law to amend the Traffic and Parking By-law (P.S. 111), **BE REFERRED** to the Civic Administration for further consideration related to the bus stop locations that the University of Western Ontario would be utilizing. (2011-S09-00)

Amendments to  
the Traffic and  
Parking By-law  
During the  
Western Fair

12. (18,46) That, on the recommendation of the Acting Director, Roads & Transportation, the attached proposed by-laws (Appendices "A" and "B") **BE INTRODUCED** at the Municipal Council meeting to be held on August 29, 2011 for the purpose of amending the Traffic and Parking By-law (P.S. 111) to allow enact parking changes during the dates of the Western Fair. (2011-S09-00)

Veterans  
Memorial  
Parkway South  
Extension Class  
EA - Project No.  
TS1037

13. (20) That, on the recommendation of the Acting Director, Roads and Transportation, the following actions be taken with respect to the Veterans Memorial Parkway South Extension Planning, Preliminary Design and Class Environmental Assessment Study:

- (a) McCormick Rankin Corporation, 300-2655 North Sheridan Way, Mississauga, ON, L5K 2P8, **BE APPOINTED** Consulting Engineers for the above-noted project, in the amount of \$289,850, excluding HST, in accordance with Section 15(g) of the Procurement of Goods and Services Policy;
- (b) \$12,000 required for internal (City-related) expenses **BE APPROVED** within the project budget;
- (c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached hereto as Appendix 'A';
- (d) the consulting fees for this project **BE IN ACCORDANCE** with the estimate, on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers;
- (e) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; and,
- (f) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (2011-A03-00)

Wickerson  
Stormwater  
Management  
Pond Lands -  
Valuation

14. (21,47) That, the following actions be taken with respect to the reimbursement of the land costs for the Wickerson Stormwater Management Pond to Sifton Properties Limited:

- (a) based on fair market value, \$100,000.00 per hectare **BE APPROVED** for reimbursement to Sifton Properties Limited; and,
- (b) in accordance with the policies of the Urban Works Reserve Fund, the City of London **BE REIMBURSED** for its legal costs;

it being noted that the Built and Natural Environment Committee received the attached communication, dated August 15, 2011, from P. Masschelein, Vice-President, Neighbourhood Developments, Sifton Properties Limited and reviewed and received an information report from the Managing Director, Development Approvals Business Unit and a communication dated August 12, 2011, from METRIX Realty Group, with respect to this matter. (2011-W10-02)

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

15. (22) That, notwithstanding the recommendation of the Director of Land Use Planning and City Planner, the Civic Administration **BE DIRECTED** to meet with Montessori House of Children and the neighbourhood community association to discuss limiting the scope of the proposed Official Plan Amendment; it being noted that the Built and Natural Environment Committee received the attached communication dated August 15, 2011 from R. Zelinka, Zelinka Priamo Ltd., with respect to this matter. (2011-D11-05)

Residential  
Intensification  
Policies

16. (23) That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to Residential Intensification Policies:

- (a) the attached proposed Official Plan Amendment to clarify the intent of the Official Plan intensification policies related to when public site plan will be required **BE CIRCULATED** for public review and comment; and,
- (b) based on the proposed Official Plan amendment, the Site Plan Control By-law **BE AMENDED** to clarify the site plan matters to be considered in the review of intensification proposals, including the requirement for Public Site Plan review when intensification may occur, even though no planning application or process other than site plan review is required.

Soil  
Remediation -  
Wellington  
Street Road  
Allowance  
Adjacent to  
Piccadilly Park

17. (26) That, notwithstanding the recommendation of the Director of Land Use Planning, a special meeting of the Built and Natural Environment Committee **BE HELD** on Monday, August 29, 2011 at 4:00 p.m., at which time the Civic Administration will bring forward a report providing the following:

- (a) an explanation of the need for soil remediation;
- (b) the extent of the work;
- (c) the proposed budget allocation; and,
- (d) the potential consequences of taking no action. (2011-E06-00)

Comprehensive  
Official Plan  
Review and  
Komoka-  
Kilworth  
Secondary Plan

18. (27) That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the proposed amendment to Middlesex Centre's Official Plan:

- (a) the following comments **BE FORWARDED** to Middlesex Centre:
  - (i) the City of London supports the redistribution and reallocation of vacant lands from the hamlet areas to Urban Settlement Areas, where full municipal services will be available to support future growth;

- (ii) the City of London supports the redesignation of the Hamlet land use and Settlement Area boundary changes as proposed for Hamlet Areas of Birr, Denfield, Melrose and Poplar Hill/Coldstream, and the redesignation of 12.2 ha of Residential Lands to Agriculture and the Settlement Area boundary change proposed for the Arva Community Settlement Area;
- (iii) the City of London has significant concerns regarding the extent of new developable lands being added to the Komoka-Kilworth Urban Settlement Area. The Official Plan Amendment proposes to add and convert the following lands to the Komoka-Kilworth Urban Settlement Area:
  - 42 ha of Residential land;
  - 67 ha of Settlement Employment land;
  - Convert 51 ha of Settlement Employment land to 35 ha of Residential land, 5 ha Natural Environment land and 11 ha Village Centre land;
  - Convert 10 ha of Settlement Commercial land to Residential land; and,
  - Convert 25 ha of Residential land to 11 ha of Settlement Employment land and 14 ha of Parks and Recreation land;

it being noted that this would result in 67 ha of urban land use designations being added to the Komoka-Kilworth Urban Settlement Area;

- (iv) the City of London has concerns regarding the extent of new developable lands being added to the Ilderton Urban Settlement Area. The Official Plan Amendment proposes to add or convert the following lands to the Ilderton Urban Settlement Area:
  - 34.2 ha of Residential land;
  - Convert 4.2 ha of Rural Commercial to Residential;
  - Convert 15 ha of Rural Industrial to Residential; and,
  - Convert 21.6 ha of Rural Industrial to Agriculture;

it being noted that this would result in a total of 53.4 ha of additional land for Residential development being added to the Ilderton Urban Settlement Area;

- (b) the Civic Administration **BE DIRECTED** to meet with Planning Staff from Middlesex Centre to discuss these concerns regarding the Municipality's draft Official Plan Amendment and the Komoka-Kilworth Secondary Plan; and,
- (c) the Ministry of Municipal Affairs and Housing **BE ADVISED** that the City of London has concerns with respect to the number of urban services vs. rural services growth centres. (2011-D11-09)

Special Provisions – Westbury International (1991) Corporation – Westbury Subdivision – 39T-05509

19. (28) That, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Westbury International (1991) Corporation for the subdivisions of land in the City of London, situated on the North side of Wharncliffe Road South, municipally referred to as 1311 Wharncliffe Road South:

- (a) the attached Special Provisions to be included in the above-noted Subdivision Agreement **BE APPROVED**;
- (b) the Mayor and the City Clerk **BE AUTHORIZED** to execute the Agreement, any amending agreements and all documents required to fulfill its conditions; and

- (c) the applicant **BE ADVISED** that the Director of Development Finance has estimated the following Revenues and Claims:

**Related Estimated Costs and Revenues – Phase 1**

| <b>Estimated Costs – This Agreement – Developer Built</b> |                    |
|-----------------------------------------------------------|--------------------|
| Urban Works Reserve Fund – General                        | <b>Nil</b>         |
| Urban Works Reserve Fund – Stormwater Management          | <b>Nil</b>         |
| <b>Capital Expense – Parks Planning</b>                   | <b>\$88,400</b>    |
| Other                                                     | <b>Nil</b>         |
| <b>Total</b>                                              | <b>\$88,400</b>    |
| <b>Estimated Revenues This Agreement</b>                  |                    |
| CSRF                                                      | <b>\$2,148,184</b> |
| UWRF                                                      | <b>\$880,868</b>   |
| <b>Total</b>                                              | <b>\$3,029,051</b> |

**NOTE:**

1. Estimated revenues are calculated using current rates for engineering services and the information is reported all in accordance with the Development Charges By-law (ie C.P.-1473-212), and any amendments thereto.
2. Estimated claims are based on information provided by the applicant. Actual claims will be determined in conjunction with the subdivision agreement and the applicable by-law.
3. The Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund.

it being noted that Parks Planning expenditures will require commitment through future capital budget projects.

Development on Irwin, Gunn, Saunby and Beaufort Streets

20. (30) That the Civic Administration **BE DIRECTED** to report back at the September 12, 2011 Built and Natural Environment Committee (BNEC) meeting with respect to the potential actions that can be taken to stop in-fill intensification in the Irwin Street, Gunn Street, Saunby Street and Beaufort Street area; it being noted that the BNEC heard the attached presentation and reviewed and received a communication dated September 8, 2011, from J. Corcoran, BIGS Community Association, with respect to this matter. (2011-D11-00)

Proposed Amendments to the Site Plan Approval Process and the Site Plan Control Area By-law

21. (31,48) That, on the recommendation of the Managing Director of the Development Approvals Business Unit, the following actions be taken with respect to revisions to the site plan approval process, the Site Plan Control Area By-law and the Municipal Council Policy as it pertains to Site Plan Approvals:

- (a) the attached by-law, (Appendix 'B') to amend the Site Plan Control Area By-law, **BE INTRODUCED** at the Municipal Council meeting to be held on August 29, 2011; and,
- (b) the attached proposed by-law to amend Council Policy 19 (25A) **BE REFERRED** to the Civic Administration for a legal review of Appendix 'C' and the associated Appendix 19(25A) entitled "Appendix to Site Plan Approval and Enforcement Policy";

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

- J. Kennedy, London Development Institute – indicating that Official Plan Amendment 438 defined the uses of intensification and affects the entire City; expressing concern with the recommendation and recommending that the matter be referred to the Civic Administration for further consideration; indicating that when builders have to hold a public participation meeting, it slows down the process and costs more money; and advising that there is already a proposed amendment to the Official Plan.
- L. Langdon, London Home Builders Association – indicating that she did not receive a copy of the Staff Report; and enquiring as to the impact on new home builders and renovations to existing homes. (2011-D25-00)



City of London –  
Proposed  
Amendment to  
the Official Plan  
- Section 5.2.4 -  
Scale of Office  
Development

22. (32) That, on the recommendation of the Director of Land Use Planning and City Planner, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on August 29, 2011 to amend Section 5.2.4 of the Official Plan by adding a policy to define the scale of office development to clarify the intent of the designation;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2011-D11-09)

City of London –  
Proposed  
Amendment to  
Section 4.14 of  
the Zoning By-  
law - Lots  
Reduced by  
Public  
Acquisition (Z-  
7891)

23. (33) That, on the recommendation of the Director of Land Use Planning and City Planner, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on August 29, 2011 to amend Section 4.14 of the Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the Zoning By-law Z.-1 by:

- (a) removing the words “has been”, and “the location of any permitted building or structure relative to the required side or rear yards”; and,
- (b) to include the word “density” in the last paragraph by:
  - (i) deleting the last paragraph of Section 4.14; and,
  - (ii) by inserting in its place “*In the case of a road widening dedication, the land that will be dedicated shall be included in any calculation for the purpose of determining lot area, coverage, height, parking, landscaped open space, floor area, floor area ratio and density provided any building or structure is located wholly within the boundary of the land remaining after the dedication*”;

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

1383266  
Ontario Limited  
– Variance from  
Sign and  
Canopy By-law  
– 715-725  
Wellington  
Road South

24. (34,49) That, notwithstanding the recommendation of the Director of Building Controls, Ms. Phuong **BE GRANTED** a temporary exemption from the Sign and Canopy By-law relating to the property located at 715-725 Wellington Road South for one year, pending the outcome of the Civic Administration’s review of the Sign and Canopy By-law; it being noted that the Built and Natural Environment Committee heard verbal presentations from S. Rae representing Ms. Phuong and from Ms. Phuong. (2011-D24-00)

City of London –  
310, 318, 322  
and 330  
Wellington  
Road (O-7900)

25. (35,50) That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of City of London relating to the property located at 310, 318, 322 and 330 Wellington Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on August 29, 2011 to amend the Official Plan to change the designation of the subject lands **FROM** a Low Density Residential designation which allows single detached, semi-detached, duplex and converted dwellings **TO** a Community Commercial Node to allow all types of retail outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; service-oriented office uses such as real estate, insurance and travel agencies; community facilities, such as libraries or day care centres; professional and medical/dental offices; and commercial and private schools; it being noted that within Community Commercial Nodes, office uses and places of entertainment will be permitted in limited amounts;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2011-D11-09)

CN Rail and  
RCC Media –  
Minor Variance  
to the Sign and  
Canopy By-law  
to Permit Third  
Party  
Advertising on  
Railway  
Overpasses

26. (36) That, on the recommendation of the Director of Building Controls, the following actions be taken with respect to the request by CN Rail and RCC Media for a variance to the Sign & Canopy By-law to permit non-accessory banner signs on railway overpasses:

- (a) a variance to the Sign and Canopy By-law **BE APPROVED** at the Municipal Council meeting to be held on August 29, 2011;
- (b) CN Rail and RCC Media **BE REQUESTED** to enter into a Licensing Agreement with the City of London before any permits are issued for the placement of banner signs on two CN railway overpasses; and,
- (c) the Mayor and the City Clerk **BE AUTHORIZED** to execute the above-noted Licensing Agreement and any other documents necessary to facilitate such an agreement;

it being noted that the Built and Natural Environment Committee received the attached presentation from J. Matsui, Makin Headlines Ltd., with respect to this matter. (2011-D16-00/D24-00)

Old North  
Traffic Calming  
Plan – Results  
of Opinion Poll

27. (37) That, on the recommendation of the Acting Director, Roads and Transportation and notwithstanding the January 18, 2010 Municipal Council resolution relating to the implementation plan for the Old North Neighbourhood Traffic Calming Study, the Old North Neighbourhood Traffic Calming Study and its recommendations **BE IMPLEMENTED** on an individual project basis with traffic calming measures, if any, being reflective of residents' input and needs as identified during the project design phase; it being noted that this approach varies from the original study implementation plan. (2011-S09-00)

Zelinka Priamo  
Limited – 2310,  
2330, 2350 and  
2362 Dundas  
Street (OZ-  
7919)

28. (38) That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the application of Zelinka Priamo Limited relating to the properties located at 2310, 2330, 2350 and 2362 Dundas Street:

- (a) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on August 29, 2011 to amend the Official Plan **FROM** General Industrial and Light Industrial **TO** Auto Oriented Commercial Corridor;
- (b) the attached, revised, proposed by-law (Appendix "B") **BE INTRODUCED** at the Municipal Council meeting to be held on August 29, 2011 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a) above), to change the zoning as follows:
  - (i) the north portion of 2310 Dundas Street **FROM** a Light Industrial (LI2) Zone and a Holding General Industrial (h\*GI1) Zone **TO** a Holding Restricted Service Commercial Special Provision (h\*h-11\*RSC1( )) Zone to allow for restricted service commercial (RSC1) uses as well as "Automotive Use";
  - (ii) the north portion of 2330 and 2350 Dundas Street **FROM** a Holding General Industrial (h\*GI1) Zone **TO** a Holding Restricted Service Commercial Special Provision (h\*h-11\*RSC1( )) Zone to allow for restricted service commercial (RSC1) uses as well as "Automotive Use";
  - (iii) the south portion of 2310 Dundas Street **FROM** a Light Industrial (LI2) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone **TO** a Holding Restricted Service Commercial (h\*h-11\*RSC2/RSC3/RSC4/RSC5)) Zone to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and industrial mall;

- (iv) the south portion of 2330 Dundas Street **FROM** a Holding General Industrial (h\*GI1) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone **TO** a Holding Restricted Service Commercial (h\*h-11\*RSC2/RSC3/RSC4/RSC5)) Zone; to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and an industrial mall; and,
- (v) the south portion of 2350 Dundas Street **FROM** a Holding Highway Service Commercial/Restricted Service Commercial (h\*HS1/HS4/RSC2/RSC3/RSC4/ RSC5) Zone **TO** a Holding Restricted Service Commercial/Highway Service Commercial (h\*h-11\*HS1/HS4/RSC2/RSC3/RSC4/RSC5)) Zone; to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and an industrial mall;
- (c) pursuant to Section 34(17) of the *Planning Act*, it **BE DETERMINED** that no further notice related to the By-law is required;

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

- G. Priamo, Zelinka Priamo Limited - indicating that he has no concerns with the analysis for the recommendation; requesting that the requirement for a holding provision be removed; indicating that the by-law already has a holding provision on it; noting that at the bottom of page 14 of the Staff Report, the requirement for a holding provision is redundant as a development agreement has already been entered into; indicating that the holding provision was not put in the agreement, but that Staff put it in; advising that there may be modest arterial uses from Dundas Street frontage; and indicating that they are not asking for approval for access.

(2011-D11-08)

Agreement with Horticultural Trades Association Inc. for the Future Enhancement of Veterans Memorial Parkway

29. (40,51) That, on the recommendation of the Executive Director of Planning, Environmental and Engineering Services, the following actions be taken with respect to the creation of a community-led initiative to complete the planned enhancements to Veterans Memorial Parkway:

- (a) the attached proposed by-law (Appendix 'A') **BE INTRODUCED** at a future meeting of the Municipal Council to authorize an agreement between The Corporation of the City of London and the Horticultural Trades Association Incorporated, operating as Landscape Ontario, to lead the Veterans Memorial Parkway Community Programme and to authorize the Mayor and the City Clerk to execute the Agreement;
- (b) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal Agreement with the Horticultural Trades Association Incorporated;
- (c) the Source of Financing for the City of London's 2011 financial obligations, as detailed in Section 31 of the Agreement **BE APPROVED** as set out in the attached Source of Financing Report (Appendix 'B');
- (d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this Agreement; and,

- (e) Landscape Ontario **BE THANKED** for taking a leadership role for this community-led venture;

it being noted that municipal financing to support the Agreement has been included in the proposed 2012 Capital Budget (Enhanced Veterans Memorial Parkway – PD1142) over a five-year period and is subject to annual budget approval by the Municipal Council. (2011-L03-00)

Hasham  
Abdelsayed –  
1472 Huron  
Street (Z-7887)

30. (41,52) That, the following actions be taken with respect to the application of Hasham Abdelsayed relating to the property located at 1472 Huron Street:

- (a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands from a Convenience Commercial (CC2) Zone which permits convenience stores, restaurants, financial institutions without a drive through and medical/dental offices to a Convenience Commercial Special Provision (CC2 ( )) Zone which allows for the above uses and a pharmacy use without a drive through, a minimum rear yard setback of 1.7m, a minimum west interior side yard setback of 1.7m, a minimum east side yard setback of 0.0m, a minimum front yard setback to a parking area of 2.1m, a minimum east side yard setback to a parking area of 0.0m, a maximum lot coverage of 35%, a minimum of 39 parking spaces including 1 handicapped parking space based on a gross floor area of 730m<sup>2</sup>, and which prohibits a methadone clinic and methadone dispensary use **BE REFUSED** for the following reason:
- (i) concerns with respect to the possibility of the dispensing of methadone from the proposed pharmacy and the lack of enforcement of methadone dispensing; and,
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the lands located 1472 Huron Street from a Convenience Commercial (CC2) Zone which permits convenience stores, restaurants, financial institutions without a drive through and medical/dental offices to a Convenience Commercial Special Provision (CC6 ( )) Zone which permits for the above uses with a lot coverage of 35% and 40 parking space minimum **BE REFUSED** for the following reason:
- (i) the full range of uses in the Convenience Commercial (CC6) Zone variation uses may not be appropriate on this site;

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

- L. Kirkness, Kirkness Consulting Inc., on behalf of the applicant – correcting the Staff report by indicating that the applicant's last name is spelled "Abdelsayed" and by indicating that the consultant should be "Kirkness Consulting Inc."; expressing concern with the lack of clarity of enforcement; indicating that there is no need for enforcement on this property; advising that this business would operate on a smaller scale than what he already operates in other areas of the City; and indicating that the applicant is involved in the methadone clinic on Dundas Street.
- C. Irwin, 1347 Basswood Place – advising that she has lived at this address for 22 years; indicating that her property abuts the plaza; expressing objection to the proposed pharmacy; advising that there are currently two part-time doctors in this location and that it won't address London's doctor shortage; advising that there are three pharmacies within 1,000 feet of the plaza; advising that the City has no way of policing what is dispensed at the pharmacy; asking that greater caution be exercised before opening the pharmacy; indicating that there is no way to track the amount of methadone being dispensed; recommending that the plaza be brought up to community standards as the plaza is covered in graffiti and doesn't comply with existing rules; requesting that the zoning not be amended to allow the pharmacy use; advising that there is a huge loop hole that must be closed; requesting that the neighbourhood be supported by turning down the application.

- R. Moss, 1 Redwood Lane – advising that there are three schools in the area and five pharmacies within two kilometres of the plaza; advising that it is understood that methadone is not allowed, but also realize that the dispensing of methadone can't be enforced.
- B. Mann, 26 Redwood Lane – indicating that he lives 115 metres west of the plaza; indicating that the convenience/commercial property is separated by residences and has not been a problem in the past; advising that with the proposed revised drawings suggested that it should be the new owner is going to make improvements to the plaza, but the owner may not make if he doesn't get his amendment; advising that there is an abundance of pharmacies within one kilometre of the plaza; indicating that he is not here to regulate the business or stop the business but the plaza doesn't need a pharmacy; indicating that a medical clinic is already permitted; indicating that the only reason for rezoning is for the inclusion of a pharmacy as the medical/dental use is already permitted; advising that City Staff have indicated that the issue of regulating methadone clinics has not been resolved; indicating that methadone clinics would be detrimental to the neighbourhood; requesting that the Committee consider carefully if they would like to support the rezoning for this use.
- S. Irwin, 1347 Basswood Place – expressing opposition to the application; suggesting that the issues should be separated, that the applicant is saying that “if I get this, I will do that”, you have a person who wants to open a pharmacy and be a landlord; indicating that no effort has been made to clean up the graffiti or garbage at the plaza, which has been a long-standing complaint; suggesting that the owner should be doing improvements to the plaza to fit in with the community; advising that he is aware that the applicant is the owner of 528 Dundas Street and the issues that are going on at that address; suggesting that the owner should make changes voluntarily.
- Resident, 1458 Huron Street – advising that her property is an acre; indicating that she is still in contact with the original owners; advising that this is an old community, with people living in their homes for a long time; suggesting that homes have been put up for sale because of this application and the potential for a methadone clinic; advising that she doesn't want kids jumping her fence or kids getting attacked going to the convenience store; advising that there are several public schools and churches in the area; and requesting that the Committee reject the application.
- L. Smith, 7 Bellrock Crescent – expressing opposition to the application; indicating that the plaza is near schools, day cares, community centres, and churches.
- A. Carter, 1252 Sorrell Road – advising that she lives approximately 2 to 2 ½ kilometres from the plaza; indicating that she can see her neighbourhood being affected if the application is approved; and advising that if a person brings in a prescription, the pharmacist cannot legally refuse to fill it; indicating that the proposed pharmacy will devalue the properties in the neighbourhood and requesting that people boycott the pharmacy.
- P. Sobko, 1400 Basswood Road – advising that he has lived at his place of residence for 32 years; indicating that he heard a rumour about a road going through Stronach Park and was advised by the City that a road wouldn't go through the Park and now there is a road going through the Park and advising that his wife has lost day care clients due to this application.
- S. Butler, 46 Christians Drive – advising that there are 10 schools in the area, two high schools, Stronach Arena, ball parks, playgrounds, a pool; and enquiring as to the need for a pharmacy in this location.
- G. Schneider, 978 Apache Road – enquiring as to the rationale for the proposed zoning.
- Resident, Address Unknown - enquiring as to whether or not the applicant owns or has interests in any other methadone clinics.

- B. MacDonald, 1204 Lancaster Street – advising that he was the Councillor for this ward for 28 years and worked hard to remove the “east of Adelaide” stigma; expressing opposition to the application; indicating that once the pharmacy is installed, it is up to the doctor or pharmacist to control what drugs they dispense; advising that this community is a jewel in the east end of the city and that this application is like a slap in the face to the community.
- M. Turner, 1217 Farnborough Crescent – indicating that a certain number of spots need to be set aside for parking in the parking lot for medical appointments; noting that cars are not allowed to park along the boulevard; and that there is a fast response to calls to the Police Department.
- M. Prudhomme, 42 Redwood Lane – advising that he has worked in the mental health field and that there are going to be problems with drugs if the pharmacy is permitted.
- C. Turner, 1327 Basswood Place – hoping that Council will look after them when casting their votes.
- D. Allerston, 102 Christian’s Court – expressing concern with the convenience store currently located in the plaza; advising that adding the pharmacy is going to increase the problems; advising that East of Adelaide should look better and indicating that plaza should already have been cleaned up.
- Resident, 30 Silverbrook Drive – advising that he is the co-ordinator for the condominium complex and that values of the community and ambiance for the children growing up in the area will be affected; and asking the Committee to ensure the needs of the entire community are met, especially little kids.
- B. Yates, 14 Kaladar Place – advising that he received a letter from the city to clean up his property because he had two unlicensed cars on his property; indicating that he has a handicapped child and he opposes drug paraphernalia.
- G. Eggle, 1447 Huron Street – advising that he is the property manager for the condominium complex; advising that it is easy to remove graffiti and that the artists get tired and stop when you remove their graffiti and advising that there is a wide demographic that rents in this area.
- L. Ackford, 1453 Huron Street – advising that the co-operative housing unit is only one year old; questioning the loop holes in the by-law; advising that another pharmacy is not necessary; and indicating that she would hate to see her new home tainted or ruined.
- B. Vijay, 1 Christian’s Drive – indicating that he is originally from North Bay and that, in his mind, if the application is approved, it raises red flags.
- M. Irwin, 1347 Basswood Place – advising that opening this door is a big risk for a small reward and doesn’t benefit anyone. (2011-D11-01)

Parking  
Regulations –  
Corinth Court

31. (44) That no action **BE TAKEN** with respect to parking regulations on Corinth Court; it being noted that the Built and Natural Environment Committee reviewed and received a communication dated August 3, 2011, from Councillor S. Orser, with respect to this matter. (2011-S04-00)

## II YOUR COMMITTEE REPORTS:

8th Report of  
the EEPAC

32. (1) That the Built and Natural Environment Committee reviewed and received the 8th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on July 21, 2011. (See Report attached.)

Bierens Draft  
Plan of  
Subdivision  
39T-08502

33. (2) That the Built and Natural Environment Committee reviewed and received a Municipal Council resolution adopted at its meeting held on July 25, 2011 with respect to the Bierens Draft Plan of Subdivision 39T-08502.

Update -  
Development  
Approvals  
Business Unit  
Initiatives

34. (3) That the Built and Natural Environment Committee reviewed and received an information report, dated August 15, 2011, from the Chief Administrative Officer with respect to an update on initiatives within the Development Approvals Business Unit. (2011-D01-00)

- Update - Water Technology Centre Initiative 35. (5) That the Built and Natural Environment Committee reviewed and received an information report, dated August 17, 2011, from the Executive Director, Planning, Environmental and Engineering Services, with respect to an update on the Water Technology Centre initiative. (2011-W13-00)
- Thames-Sydenham Source Water Protection Region 36. (9) That the Built and Natural Environment Committee reviewed and received an information report, dated August 15, 2011, from J. Braam, Director, Water and City Engineer, with respect to an update on the source water protection process for the Thames Sydenham Source Water Protection Region. (W13-00)
- Oxford Park Community Area 37. (16) That the Built and Natural Environment Committee reviewed and received an information report dated August 15, 2011, from the Acting Director, Roads and Transportation, with respect to Oxford Park Community Area. (2011-W10-00)
- Highbury Avenue North at Trafalgar Street – Advance Left-Turn Signal 38. (19) That the Built and Natural Environment Committee reviewed and received an information report dated July 15, 2011, from the Acting Director, Roads and Transportation, with respect to the proposed advance left-turn signal at the intersection of Highbury Avenue North and Trafalgar Street. (2011-S09-00)
- OMB Decision – Official Plan Amendment No. 438 39. (24) That the Built and Natural Environment Committee reviewed and received an information report dated August 2, 2011, from the Director, Land Use Planning and City Planner, with respect to the Ontario Municipal Board decision relating to Official Plan Amendment No. 438.
- OMB Decision - Methadone Clinic and Dispensary Interim Control By-law 40. (25) That the Built and Natural Environment Committee reviewed and received an information report dated August 4, 2011, from the Director, Land Use Planning and City Planner, with respect to the Ontario Municipal Board decision relating to the Methadone Clinic and Dispensary Interim Control By-law. (2011-C06-00/D11-00)
- Building Division Monthly Report 41. (29) That the Built and Natural Environment Committee reviewed and received the monthly report from the Director of Building Controls and Chief Building Official, relating to Building Activity and Inspector Workloads for June, 2011. (2011-D05-00)
- Cul-De-Sac Parking During Summer 42. (39) That Built and Natural Environment Committee (BNEC) received a communication from Councillor W. J. Armstrong with respect to cul-de-sac parking during summer. The BNEC postponed consideration of this matter to its September meeting at the request of Councillor W. J. Armstrong. (2011-S04-00)
- Completion of the McCormick Area Plan 43. (42) That the Built and Natural Environment Committee (BNEC) reviewed and received a communication, dated July 26, 2011, from G. Thompson, President, Old East Village Community Association, with respect to the completion of the McCormick Area Plan. The BNEC referred the communication to the Civic Administration for consideration with its review of the current workload. (2011-D07-00)
- Capital Works Projects 44. (43,53) That the Built and Natural Environment Committee reviewed and received communications dated July 28, 2011 and August 15, 2011, from G.Thompson, President and S. Levin, Member, the Urban League of London and J. Kennedy, President, London Development Institute, respectively, with respect to Capital Works Projects. The BNEC referred the communications to the Civic Administration for consideration.
- Sign and Canopy By-law 45. (Add) That the Built and Natural Environment Committee (BNEC) requested the Civic Administration to provide an information report at a future meeting of the BNEC with respect to the authority delegated to the Administration related to the Sign and Canopy By-law.
- Disclosure of Pecuniary Interest – Mayor Fontana 46. That Mayor J. F. Fontana disclosed a pecuniary interest in clause 2 of this report having to do with the request for sanitary servicing for Arva from the Municipality of Middlesex-Centre, by indicating that he lives in Arva.

Disclosure of  
Pecuniary  
Interest –  
Councillor D.  
Brown

47. That Councillor D. Brown disclosed a pecuniary interest in clause 11 of this report having to do with amendments to the Traffic and Parking By-law by indicating that her employer has a contract with the London Transit Commission.

Disclosure of  
Pecuniary  
Interest –  
Councillor  
White

48. That Councillor S. White disclosed a pecuniary interest in clause 20 of this report having to do with the development on Beaufort Street, Irwin Street, Gunn Street and Saunby Street by indicating that her employer has property on Gunn Street.

Confidential  
Matters

49. That the Built and Natural Environment Committee (BNEC) passed the following resolution prior to moving in camera from 11:20 p.m. to 11:38 p.m.:

“That the Built and Natural Environment Committee move in camera to consider a matter pertaining to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose in connection with the appeals of Futurestreets Inc. to the Ontario Municipal Board, Case No. PL100332, from the decision of Municipal Council to approve Official Plan Amendment No. 475 and pass zoning by-law Z.-1-101908 in respect of 1510 Hamilton Road.”

The BNEC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 19th Report of the Built and Natural Environment Committee enclosed for Council Members only.)

The meeting adjourned at 11:40 p.m.