

3RD REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on February 5, 2013, commencing at 4:02 PM, in the Council Chambers, Second Floor, London City Hall.

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

ALSO PRESENT: Mayor J.F. Fontana and Councillor J.P. Bryant and J. P. Barber, G. Barrett, M. Elmadhoon, J.M. Fleming, T. Grawey, G. Kotsifas, A. Macpherson, D. Menard, L. Mottram, N. Musicco, J. Page, J. Ramsay, R. Sharpe, J. Smout, B. Warner and J. Yanchula.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That it **BE NOTED** that no pecuniary interests were disclosed.

II. CONSENT ITEMS

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

Recommendation: That the following actions be taken with respect to the 2nd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on January 17, 2013:

- a) the Civic Administration **BE ASKED** to advise the Environmental and Ecological Planning Advisory Committee (EEPAC) when the Civic Administration applies trail standards in significant woodlands; it being noted that the EEPAC heard a verbal presentation from S. Levin, with respect to this matter; and,
- b) that clauses 2 to 8, inclusive, of the 2nd Report of the EEPAC, **BE RECEIVED AND NOTED.**

3. 1st Report of the Trees and Forests Advisory Committee

Recommendation: That the following actions be taken with respect to the 1st Report of the Trees and Forests Advisory Committee from its meeting held on January 23, 2013:

- a) the Civic Administration **BE REQUESTED** to forward the attached revised comments, prepared by the Trees and Forests Advisory Committee (TFAC), with respect to the draft Urban Forest Strategy, to Bruce Blackwell and Associates Ltd, the Consultants hired by the City to prepare the Strategy; it being noted that the TFAC reviewed and received a report dated January 23, 2013, from its Working Group, with respect to this matter;

- b) clause 2 **BE REFERRED** to the 2013 Budget;

clause 2 reads as follows:

the Municipal Council **BE REQUESTED** to continue to maintain the Emerald Ash Borer funding at its current levels; it being noted that:

- a) even at its current level the budget allocation is substantially under the original amount endorsed by Council for the management of the Emerald Ash Borer;
- b) the elimination of Emerald Ash Borer funding could result in the closing of City parks and trails, the severe denuding of the streetscape and the loss of all previously injected ash trees; and,

- c) the exposure of the Corporation and its citizens to risk and loss of public trust;

it being noted that the Trees and Forests Advisory Committee (TFAC) reviewed and received a communication from A. Cantell, with respect to the elimination of the Emerald Ash Borer program funding from the 2013 Operating Budget; and,

- c) that clauses 3 to 6, inclusive, of the 1st Report of the TFAC, **BE RECEIVED AND NOTED**.

4. Candidate Approval for the Urban Design Peer Review Panel

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following candidates **BE APPROVED** for available positions on the Urban Design Peer Review Panel:

- a) John Tassiopoulos – Position of Urban Design Planner;
- b) Tom Tillman – Position of Architect; and,
- c) Andrew Wilson – Position of Landscape Architect. (2013-C04)

5. North Gren Land Corp. (Elron) 39T-00515 (33M-475) - 911690 Ontario Ltd. and Pacific & Western Bank of Canada (Gren) 39T-03515 (33M-483)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to subdivision agreement amendments for the North Gren Land Corp. (Elron) 39T-00515 (33M-475) - 911690 Ontario Ltd. and Pacific & Western Bank of Canada (Gren) 39T-03515 (33M-483):

- a) the Subdivision Agreement between The Corporation of the City of London and North Gren Land Corp., which was registered on September 25, 2003 as Instrument Number ER246459 for the Elron Subdivision, **BE AMENDED** as set out in the attached Subdivision Amending Agreement to amend Clause 27(c)(i) & 27(f) (iii), to remove reference to street lighting and to release the final securities;
- b) the Subdivision Agreement between The Corporation of the City of London and 911690 Ontario Limited and Pacific and Western Bank of Canada, which was registered on March 8, 2004 as Instrument Number ER274825 for the Gren Subdivision, **BE AMENDED** as set out in the attached Subdivision Amending Agreement to amend clause 27(b)(i) & 27(d), to remove reference to street lighting and release the final securities;
- c) the Civic Administration **BE AUTHORIZED** to undertake a design, as part of the development charge financed street lighting program, to provide street lighting in the ultimate location on Sunningdale Road East, from the east side of South Wenige Drive at Mother Theresa High School, to the west side of North Wenige Drive, at an estimated design and installation cost of \$265,000 (excluding applicable taxes);
- d) the Mayor and the City Clerk **BE AUTHORIZED** to execute these Subdivision Amending Agreements and all related documents required to fulfill its conditions; and,
- e) the financing for this project **BE APPROVED** in accordance with the "Source of Financing Report" provided as Appendix "A" to the associated staff report, dated February 5, 2013. (2013-L04)

6. Building Division Monthly Report for December 2012

Recommendation: That the Building Division Monthly Report for December 2012 **BE RECEIVED**. (2013-D00)

III. SCHEDULED ITEMS

7. Properties located at a portion of 1956 Shore Road and a portion of 1585 Riverbend Road (Z-8113)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application of Sifton Properties Limited, relating to a portion of the property located at 1956 Shore Road and a portion of the property located 1585 Riverbend Road (Riverbend Park), the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on February 12, 2013, 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/Neighbourhood Facility (h•R6-5/NF) Zone, which permits a range of cluster residential dwellings and neighbourhood facilities including single detached and semi-detached dwellings, townhouses, low-rise apartment buildings, churches and elementary schools, subject to removal of the “h” holding provision **TO** a Residential R1 (R1-4) Zone, to permit single detached dwellings on lots with a minimum lot frontage of 12 metres (39.4 ft.) and minimum lot area of 360 square metres (3,875 sq. ft.) and to an Open Space (OS2) Zone, to permit public parks, conservation lands and recreational uses; and **FROM** an Open Space (OS2) Zone **TO** a Residential R1 (R1-4) Zone, to permit single detached dwellings on lots with a minimum lot frontage of 12 metres (39.4 ft.) and minimum lot area of 360 square metres (3,875 sq. ft.);

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

8. Properties located at 1057, 1059 and 1061 Richmond Street (Z-8106)

Recommendation: That, notwithstanding the recommendation of the Managing Director, Planning & City Planner, the application of Romlex International Inc., relating to the properties located at 1057, 1059 and 1061 Richmond Street **BE REFERRED** to the Civic Administration for consideration of the following:

- a) designating the laneway one way, heading north;
- b) traffic in and out access on/onto Richmond Street;
- c) the removal of the holding provision for the stairs; and,
- d) meet with the applicant and the neighbours;

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

- A. R. Patton, Patton, Cormier & Associates, on behalf of the applicant – advising that his client agrees with the “Conclusion” section of the Civic Administration’s report; expressing four issues of concern in the Civic Administration’s report; reading the second bullet point under “Additional Transportation Comments (January 25, 2013)”; advising that the stairs are accessed by the north and south sides of the building; noting that there is a patio in this area; advising that there is no doubt that the church built the stairs on city property; advising that the structure has been there for a long time, presumably with the City’s permission; indicating that the Civic Administration would like to remove the stairs and patio area for bus rapid transit; indicating that bus rapid transit is important; however, it is premature to have such an impact on this building; indicating that there is no need for the holding provision for the stairs; noting that the City owns the land; advising that the final design of the bus rapid transit on Richmond Street has not been completed; recommending that, 20 to 30 years from now, if the members of the Planning and Environment Committee are still on Council, that they have a bunker to hide in as the residents of Richmond Street are not going to be happy with the removal of their trees for bus rapid transit; reading the first bullet point under “Additional Transportation Comments (January 25, 2013)”; advising that Richmond Street is four lanes and enquiring as to what kind of median would be installed; advising that rights-in and rights-out onto Richmond Street are legal; advising that there is no proposal to restrict left turns

onto Sherwood Avenue; indicating that, in the proposed by-law, the Civic Administration gets prescriptive; advising that the first unit and the east end shown on the proposed layout in the Civic Administration's report is shown as a four bedroom apartment; noting that the proposed apartment will be approximately 1800 square feet, which is a luxury apartment and the patio will be included for the tenants of the apartment to use; noting that the proposed second four bedroom apartment will be the same layout and be located above the four bedroom apartment on the first floor; stating that Trudeau once commented that "the state has no business in people's bedrooms"; advising that the expected tenants would be nurses, professionals and business owners along Richmond Street; advising that the church parishioners parked in the parking lot behind the church; indicating that there are 20 parking spaces for fourteen units; noting that the ratio of parking spots to units in this area of the City is one to one; indicating that the property is within easy walking distance to the University, the hospital and businesses; advising that they are meeting the parking standards established by the City; advising that the residence located at 1057 Richmond Street is not a well-kept building; noting that it has been a student residence for a long time; advising that the original proposal was to turn the building into offices and the property located at 203 Sherwood Avenue would be used for parking; indicating that when the development at 1057, 1059 and 1061 Richmond Street is completed, the property located at 203 Sherwood Avenue will be listed for sale; and requesting that the Zoning By-law be implemented with two changes, namely, the inclusion of two four bedroom apartments and the removal of the holding provision; advising that the garbage will be stored internally and picked up by the City on the assigned day; indicating that his client is willing to restrict vehicular traffic onto the laneway at the end of his parking lot; advising that the incline on the laneway starts well west of his clients' property; advising that the laneway does not deal with the function or safety of the proposed development; and advising that it is an increase in one unit, not 10%.

- Jeff Gard, 204 Victoria Street – indicating that his property abuts 203 Sherwood Avenue; advising that he has had a bit of experience with laneways; indicating that the laneway from Victoria Street to Cheapside Street is a private laneway; noting that there is no verbage on the registered plan for the laneway between Sherwood Avenue and Victoria Street; advising that, prior to 2002, the City was listed as the owner of the laneway; indicating that there was a huge fight with the church when they wanted to install the stairs in 2000/2001; expressing concern with the effect of the development on the laneway; noting that the laneway is in horrific shape, is not maintained by the City and that gravel from the laneway runs on to the sidewalk; and enquiring as to whether the City is going to take responsibility when the sewers break because of the increased traffic.
- Helen Luckman, 1069 Richmond Street – advising that she has resided in her house since 1973; noting that she previously lived at 203 Sherwood Avenue; indicating that they were relative newcomers and were welcomed by their neighbours; reading item seven under "Rationale" in the Civic Administration's report; emphasizing the words "while maintaining the character of the abutting residential neighbourhood"; suggesting that the living space in each of the units could be enlarged to have the number of units equal the number of parking spaces; hoping that the developer sees the comments in a constructive manner; and hoping that this building can become a creative, attractive and novel destination in Old North.
- Steve Harris, 201 Sherwood Avenue – expressing concern with the dramatic increase in traffic; indicating that 10 of the 13 homes along Sherwood Avenue are owner occupied; indicating that the development will double traffic and tax the laneway; advising that laneway is one way; advising that the lane is accessed from Sherwood Avenue and runs from Regent Street to Grosvenor Street; indicating that there is poor visibility when turning onto Victoria Street; advising that his greatest concern is the safety of the children who travel along the laneway; advising that there is no room on the laneway for pedestrians if a vehicle uses the laneway; indicating that if two people were driving, from opposite ends of the laneway, one person would have to back all the way out; indicating that Richmond Street is designed to carry a high volume of traffic but the

laneway is not; advising that there is no green space around the church; and indicating that it is sad that a heritage building may be torn down for a parking lot.

- James Waters, 1059 Richmond Street – indicating that access to and from the parking lot should only be from Richmond Street.
- Pollyanna McClinton, 194 Sherwood Avenue – advising that there are a lot of families living on Sherwood Avenue; indicating that it is a beautiful street and neighbourhood; noting that they have excellent neighbours; expressing concern with the impact of this application on the community; expressing concern with children using the laneway and having to watch out for cars; requesting that people think about how the laneway is used; noting that people bicycle along the laneway in the summer and that the laneway is not plowed in the winter; indicating that the laneway is in terrible shape; advising that she does not drive down the lane; indicating that that laneway is convenient for people along Sherwood Avenue; and, advising that the lane south of Victoria Street is larger, has speed bumps and is plowed.
- Mike Cornelius, 192 Sherwood Avenue – expressing concerns with the amount of density and the amount of vehicle parking; advising that the Official Plan states that the density needs to be 75 units per hectare; noting that this proposal is for 76.6 units per hectare; indicating that this would be a 10% increase from the Official Plan requirement; indicating that this raises questions about density; enquiring as to whether this Council is favouring low density residential or the higher density developments; advising that he thought that there would only be one four bedroom unit, not two; advising that the representative for the applicant indicated that they meet the requirement for parking; advising that most people have cars; noting that there will be 32 bedrooms and parking for 20 cars; further noting that there may be more than one person per unit and advising that guests will need parking.
- Mary Anne Colihan, 191 Sherwood Avenue – advising that the residents of Sherwood Avenue are hemmed in; indicating that this proposal will jam up their access; noting that Sherwood Avenue is a dead end street; indicating that there is a dip towards the end of the street; advising that there is no way to turn around at the end of the street and several vehicles have had to be towed out, including city garbage trucks, buses and plows; indicating that cars cannot park safely on the street, even after the plow has gone by; indicating that all of the trees along the laneway have been cut down by Mr. Grigoris; indicating that the lane was built for horses and buggies to travel down it; advising that the neighbours knew that the church would be occupied, they just weren't sure how it would be used; indicating that the property located at 203 Sherwood Avenue should not be cut down; enquiring as to what stops developers from knocking down more homes; advising that there is a sea of "for sale" signs along Richmond Street; expressing hope for a true adaptive use of the church; requesting that the development be made into a green development; advising that there could be a secure bike unit to encourage people to use their bicycles; and advising that the neighbours would like to see less density.
- Brian Luckman, 1069 Richmond Street – requesting that everyone look at the first floor plan; noting that there are three proposed entrances; further noting that there are currently only two entrances; expressing concerns with the possible increase in garbage on Richmond Street; enquiring as to where the garbage will be stored and where it will be picked up from; enquiring as to where the 10% green space is; advising that there is no green space on the owner's property, it's all on the City's property. (2013-D14A)

9. Property located at 591 Maitland Street

Recommendation: 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 proposed demolition of the property located at 591 Maitland Street:

- a) the Chief Building Official **BE ADVISED** that the demolition permit applied for the structure at 591 Maitland Street **BE APPROVED**, subject to the following conditions:
- i) professional architectural drawings for a new structure on this site **BE PROVIDED** and **BE APPROVED** for a building permit by the Building Division prior to the issuance of a demolition permit for the existing building;
 - ii) the drawings, as outlined in part i), above, **BE CONSISTENT** with the following criteria to the satisfaction of the Managing Director, Planning and City Planner:
 - A) replication of the general appearance and form of the front façade of the existing building;
 - B) maintenance of the scale and form of the structure at the street to the depth of a single room, with the opportunity for an addition of a greater scale at a further depth into the site;
 - C) a full front porch with a front yard building setback consistent with what currently exists; and,
 - D) the new building be built consistent with the Conservation Guidelines contained within the West Woodfield Heritage Conservation District Plan;

it being noted that the Planning and Environment Committee heard verbal presentations from Renee Kaplansky, applicant, Hazel Elmslie, Woodfield Community Association, George Goodlet, Chair, London Advisory Committee on Heritage and Don Menard, Heritage Planner, with respect to this matter. (2013-R01)

IV. ITEMS FOR DIRECTION

10. Property located at 9345 Elviage Drive

Recommendation: That, the Civic Administration **BE DIRECTED** to report back to a future meeting of the Planning and Environment Committee, relating to the communication, dated January 15, 2013, from M. Doornbosch, Zelinka Priamo Ltd., relating to the property located at 9345 Elviage Drive; it being noted that M. Doornbosch, Zelinka Priamo Ltd., be granted delegation status when the Civic Administration reports back. (2013-D14A)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. CONFIDENTIAL

(Confidential Appendix to the 2nd Report of the Planning and Environment Committee enclosed for members only.)

The Planning and Environment Committee convened in camera from 6:46 p.m. to 7:02 p.m., after having passed a motion to do so, with respect to the following matter:

- C-1 A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and disposition of lands in the vicinity of South Street; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition and disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition and disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that

similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition and disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and disposition.

VII. ADJOURNMENT

The meeting adjourned at 7:02 PM