

5TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on February 26, 2013, commencing at 4:06 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: Councillors J.P. Bryant and M. Brown, G. Belch, P. Christiaans, B. Debbert, M. Elmadhoon, J.M. Fleming, T. Grawey, B. Henry, T. Karidas, P. Kokkoros, G. Kotsifas, B. Krichker, A. MacLean, A. Macpherson, D. Menard, N. Musicco, J. Page, M. Ribera, C. Smith, M. Tomazincic and J. Yanchula.

I. DISCLOSURES OF PECUNIARY INTEREST

1. Councillor M. Brown disclosed a pecuniary interest in clause 12 of this Report, having to do with the application by Banman Developments (West) Inc., relating to the property located at 2095 Coronation Drive, by indicating that he owns property in close proximity to the subject property; it being noted that Councillor M. Brown is not a member of the Planning and Environment Committee.

II. CONSENT ITEMS

2. 2nd Report of the Advisory Committee on the Environment

Recommendation: That the 2nd Report of the Advisory Committee on the Environment from its meeting held on February 6, 2013 **BE RECEIVED**.

3. Properties located at 1010 and 1068 Fanshawe Park Road East (H-8119)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application by Rembrandt Developments (Fanshawe) Inc., relating to the properties located at 1010 and 1068 Fanshawe Park Road East, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 5, 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 R5/Residential R6 (h*R5-3/R6-5) Zone and a Holding Residential R5/Residential R6 (h*h-18*R5-3/R6-5) Zone **TO** a Residential R5/Residential R6 (R5-3/R6-5) Zone to remove the holding provision. (2013-D14A)

4. Properties located at 1235-1253 Richmond Street (H-8070)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application by Rise Real Estate Inc., relating to the properties located at 1235-1253 Richmond Street, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 5, 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 R9 Bonus (h-5*h-129*R9-7*H45*B-14) Zone for the properties located at 1235-1247 Richmond Street, and a Holding Residential R9 Bonus (h-5*h-129*R9-7*H50*B-14) Zone for the property located at 1253 Richmond Street **TO** a Residential R9 Bonus (R9-7*H45*B-14) Zone and a Residential R9 Bonus (R9-7*H50*B-14) Zone to remove the holding provisions. (2013-D14A)

III. SCHEDULED ITEMS

5. 3rd Report of the London Advisory Committee on Heritage

Recommendation: That the following actions be taken with respect to the 3rd Report of the London Advisory Committee on Heritage (LACH) from its meeting held on February 13, 2013:

- a) clause 1 of the 3rd Report of the London Advisory Committee on Heritage **BE REFERRED** to Agenda item 9 of the February 26, 2013 Planning and Environment Committee relating to the property located at 1460 Commissioners Road West;
- b) clause 1 of the 3rd Report of the London Advisory Committee on Heritage **BE AMENDED** to remove the words “it being noted that the owners of the subject property 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;”

Clause 1, as amended, reads as follows:

“That notice of the Municipal Council's intention to designate the property located at 1460 Commissioners Road West to be of cultural heritage value or interest **BE GIVEN**, for the attached reasons, under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O.18*; it being noted that in the event of future redevelopment of this site, the building be retained and the development be sympathetic to the original building.”;

- c) clause 2 of the 3rd Report of the London Advisory Committee on Heritage **BE REFERRED** to Agenda item 7 of the February 26, 2013 Planning and Environment Committee relating to the property located at 229 Greenwood Avenue:

Clause 2 reads as follows:

“That the Heritage Planner **BE ADVISED** that the London Advisory Committee on Heritage does not wish to designate the property located at 229 Greenwood Avenue.”;

- d) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit application for St. Paul's Cathedral requesting permission for changes to the designated heritage property located at 472 Richmond Street **BE APPROVED** based on the conceptual drawings submitted as part of the Civic Administration's Report on the February 13, 2013 London Advisory Committee on Heritage Agenda; it being noted that the Heritage Planner has reviewed the proposed 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;
- e) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit application of B. Porter requesting permission for an alteration to the designated heritage property located at 50 Byron Avenue **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alterations on the heritage features of the property identified in the reasons for designation is negligible;
- f) the notice of the Municipal Council's intention to designate the property located at 3378 Homewood Lane to be of cultural heritage value or interest **BE GIVEN**, for the attached reasons, under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O.18*; it being noted that the owners of the subject property 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; and,
- g) clauses 6 to 20, inclusive, of the 3rd Report of the LACH, **BE RECEIVED AND NOTED**;

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

6. Properties located at 2115, 2119 and 2121 Aldersbrook Road (Z-8125)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Union Development and Trading Company Inc., relating to the properties located at 2115, 2119 and 2121 Aldersbrook Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 5, 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 Highway Service Commercial (HS2) Zone, which permits automobile repair garages, taxi establishments, animal hospitals, automotive uses, restricted, convenience service establishments, convenience stores, duplicating shops, financial institutions, personal service establishments, restaurants, video rental establishments, brewing on premises establishment **TO** a Neighbourhood Shopping Area Special Provision (NSA1()) Zone, to permit bake shops, catalogue stores, clinics, convenience service establishments, day care centres, duplicating shops, financial institutions, food stores, libraries, medical/dental offices, offices, personal service establishments, restaurants, retail stores, service and repair establishments, studios, video rental establishments, brewing on premises establishment with a special provision to retain existing automotive uses, existing automotive repair garages and add a pharmacy with a total maximum gross floor area of 1,800 m²;

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

7. Property located at 229 Greenwood Avenue

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 property located at 229 Greenwood Avenue:

- a) the Managing Director, Development and Compliance Services & Chief Building Official **BE ADVISED** that the Municipal Council does not object to the request for demolition of the Priority 3 listed property located at 229 Greenwood Avenue; and,
- b) the Managing Director, Development and Compliance Services & Chief Building Official **BE ADVISED** that the Municipal Council does not wish to issue a notice of Intent to Designate this property under Section 29(3) of the *Ontario Heritage Act*;

it being noted that the London Advisory Committee on Heritage has been consulted on this request for demolition;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-P10D/R01)

8. Property located at 3047 Tillmann Road

Recommendation: That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the following actions be taken with respect to the site plan approval application of Westfield Village Estates Inc., relating to the property located at 3047 Tillmann Road:

- a) the Approval Authority **BE ADVISED** that, at the public participation meeting of the Planning and Environment Committee held with respect to this matter, the following issues were raised:
 - i) the increased traffic on Tillmann Road;
 - ii) the affect that the restaurants may have on the siding of the adjacent properties;
 - iii) if the variance is approved, the development will be 0.3 metres from the road; noting that the property next door will be built six metres from the road; further noting that there will be an eight foot fence between the properties;
 - iv) the fence for the restaurant is adjacent to a residential property and will cause a blind corner for the residents;

- v) the potential for accidents in front of the property located at 3047 Tillmann Road; and,
 - vi) the loss of privacy and sunlight in backyards adjacent to the proposed three storey building; and,
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the approval of the attached Site Plan application for a one storey 544 m² commercial building with four commercial spaces and a one storey office building with 836 m² of gross floor area; and,

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

- Ali Soufan, York Developments, applicant – see attached communication.
- Mohammad Bhatti, 3467 McLauchlan Crescent – see attached communication.
- David Ross, 6677 Navin Crescent – advising that the issue of garbage disposal was discussed at the Committee of Adjustment meeting; indicating that he is pleased with the new Molok garbage system that is being proposed; and enquiring if the garbage will be moved to the west side of the building rather than the southwest side. (2013-D11)

9. Property located at 1460 Commissioners Road West

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Managing Director, Development and Compliance Services & Chief Building Official **BE ADVISED** that the Municipal Council intends to issue a Notice of its intent to designate the building located at 1460 Commissioners Road West under Section 29(3) of the *Ontario Heritage Act* for the attached Reasons:

it being noted that the London Advisory Committee on Heritage has been consulted on this request;

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

- Michelle Doornbosch, Zelinka Priamo Ltd., on behalf of the applicant – advising that the owner owns three connecting properties on Commissioners Road West; indicating that they have explored various options for the development of the properties; expressing concern with the information provided in the Civic Administration's report; indicating that the primary reason for designation is the cross-gable roof; advising that the Montessori School, two properties over has the same style of roof; indicating that the applicant will withdraw the demolition application, on the understanding that there be further discussion with the Civic Administration; advising that the lands are designated Low Density Residential; indicating that the applicant is proposing to build a three storey multi-unit building with a density of 75 units per hectare; and indicating that the development agreement states that if the land is to be developed, it is to be accessed by the Montessori School property.
- Guy Beliveau, #2 – 1443 Commissioners Road West – enquiring as to whether or not the photograph shown is of the Montessori School; indicating that the letter that the residents received was vague and that is why there are only four people in attendance; indicating that the homes at 1443 are one-floor condominiums; expressing concern with the proposed high rise; and advising that, due to the volume of traffic, they have difficulty exiting their driveway. (2013-P10D/R01)

10. Properties located at 200 & 275 Calloway Road and 180 & 200 Village Walk Boulevard (Z-8130)

Recommendation: That, on the recommendation of the Senior Planner, Development Planning, based on the City initiated application relating to the properties located at 200 and 275 Calloway Road and 180 and 200 Village Walk Boulevard, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 5, 2013, to amend Zoning By-law No. Z.-1,

(in conformity with the Official Plan), to change the text of R6 Special Provision Zones (R6-5(23), R6-5(24), and R6-5(26)) Zones, by **DELETING** the minimum/maximum density of 35 units per hectare and **REPLACING** it with a minimum density of 30 units per hectare (12 units per acre) and a maximum density of 75 units per hectare (30 units per acre) and **DELETING** the maximum height of 12 metres and **REPLACING** it with a maximum building height of 15 metres (49.2 feet);

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

- Ron Koudys, 368 Oxford Street East, on behalf of Barvest Investments – indicating that he is looking forward to receiving more information on this matter.
- Rose Esposito, 228 Pebble Creek Walk – enquiring as to whether or not this will overpopulate the area; noting that there will be more people entering and exiting the subdivision in the Sunningdale area. (2013-D14A)

11. Property located at 2825 Tokala Trail (OZ-8115)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Claybar Developments Inc., relating to the property located at 2825 Tokala Trail:

- a) an amendment to the Fox Hollow Community Plan **BE APPROVED** at the Municipal Council meeting to be held on March 5, 2013, to change the land use on the subject property **FROM** Low Density Residential and Medium Density Residential **TO** High Density Residential and Commercial;
- b) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 5, 2013, to amend the Official Plan to change the designation of the subject lands **FROM** a Low Density Residential designation and a Multi-family, Medium Density Residential designation **TO** a Multi-family, High Density Residential designation and a Neighbourhood Commercial Node designation and to amend Section 3.5, entitled "Policies for Specific Residential Areas" to permit on the:

northern part of the property:

low and high-rise apartment buildings, apartment hotels, multiple attached dwellings, emergency care facilities, nursing homes, rest homes, homes for the aged, and rooming and boarding houses as the primary permitted uses, and convenience commercial uses in the ground floor of an apartment building, up to an overall maximum of 1,050 square metres of gross floor area, and oriented either to Dalmagarry Road or to a future or existing commercial development on lands to the immediate south; and,

southern part of the property:

small retail stores, food stores, pharmacies, convenience commercial uses, personal services, financial institutions, service-oriented office uses, community facilities, professional and medical/dental offices, small-scale restaurants, commercial recreation establishments, and similar uses that draw customers from a neighbourhood-scale trade area as the main permitted uses;

- c) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 5, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part b), above), to change the zoning of the subject property **FROM** an Urban Reserve (UR3) Zone, which permits existing dwellings, agricultural uses, conservation lands, managed woodlots, wayside pits, passive recreation uses, kennels, private outdoor recreation clubs and riding stables **TO** permit on the:

northern part of the property:

a Holding Residential R9 Special Provision/Holding Convenience Commercial Special Provision (h-120•R9-7(*)•H30/CC6(**)) Zone, to permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, continuum of care facilities, townhouses and stacked townhouses with a maximum height of 30 metres, densities ranging from 125 to 150 units per hectare, a minimum yard depth abutting the commercial zone to the south of 0.0 metres, a minimum east yard depth of 5.0 metres, and a maximum yard depth abutting Dalmagarry Road and Tokala Trail of 5.0 metres, and convenience commercial uses in the ground floor of an apartment building including convenience service establishments, convenience stores, financial institutions, personal service establishments, medical/dental offices, food stores, restaurants, brewing on premises establishments, day care centres, offices, studios, bake shops, commercial schools, florist shops and pharmacies, with a maximum total gross floor area of 1,050 m²; and,

southern part of the property:

a Holding Neighbourhood Shopping Area Special Provision (h-120•NSA5(***)) Zone, to permit bake shops, catalogue stores, clinics, convenience service establishments, day care centres, duplicating shops, financial institutions, food stores, libraries, medical/dental offices, offices, personal service establishments, restaurants retail stores, service and repair establishments, studios, video rental establishments and brewing on premises establishments with a maximum total gross floor area of 6,000 square metres, a maximum gross floor area for a food store of 3,200 square metres, a maximum gross floor area for one individual use of 1,000 square metres, and lesser maximum gross floor areas for all other uses, a minimum yard depth abutting the residential zone to the north of 7.0 metres, a minimum east yard depth of 5.0 metres, and no parking permitted between any building or structure and any road allowance;

- d) the Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
- i) the development be generally in keeping with the plans, as outlined in Appendix “D” of the Civic Administration’s report, dated February 26, 2013;
 - ii) for the residential portion of the site:
 - ensure active uses such as lobbies, amenity areas, and/or residential units with separate front entrances are located on the ground floor of the proposed apartment buildings, in particular in the portions of the buildings that front onto Dalmagarry Road and Tokala Trail;
 - ensure the entrance into the lobby of residential building “B”, located at the corner of Dalmagarry and the internal private drive, is designed to serve as the primary entrance into the building, including similar architectural expression shown in the entrance of residential building “A” as provided in the Civic Administration’s report dated February 26, 2013;
 - include continuous pedestrian connections from all residential building entrances to the proposed outdoor amenity area; and,
 - upon the submission of elevations ensure that the articulation and massing in a coherent architectural manner continue to distinguish the buildings’ base, middle, and top;

- iii) for the commercial portion of the site:
- situate “Proposed Retail A” building so that it fronts onto Dalmagarry Road, in line with the “Proposed Restaurant” and “Proposed Retail B” in order to create a more consistent streetwall plane;
 - ensure that buildings “Proposed Retail A”, “Proposed Retail B”, “Proposed Sunripe Market” and “Proposed Restaurant” are oriented to the public street and include active building elements such as principal entrances, transparent windows, merchandise display windows, canopies, etc. fronting the street in order to create an active frontage and improve the pedestrian experience;
 - screen all parking lot frontages along public streets using enhanced landscaping and landscaping walls;
 - eliminate rows of parking which inhibit providing continuous pedestrian connections through the site, including between the residential and commercial portions. Ensure all buildings have a walkway to the street as well as continuous walkways connecting to other buildings on the site;
 - ensure all parking islands are appropriately landscaped and are of a sufficient size to allow for the planting of trees; and,
 - locate all garbage bins away from street frontages, ensure they are contained within masonry enclosures and appropriately screened with landscaping. Alternatively garbage enclosures could be created as part of or an extension of proposed buildings;
- e) pursuant to Section 34(17) of the *Planning Act*, no further notice **BE GIVEN** with respect to the proposed zoning by-law, as the revised Notice of Application, dated February 1, 2013, clearly contemplated the concept of commercial uses in the main floor of an apartment building and the application of a range of commercial uses with floor plates ranging up to 3,000 square metres in individual buildings;
- f) the request to amend the Official Plan to change the designation of the south part of the subject lands **FROM** a Multi-family, Medium Density Residential designation, which permits multiple-attached dwellings, low rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged as the primary permitted uses **TO** a Neighbourhood Commercial Node designation, to permit a neighbourhood scale commercial development, **BE REFUSED** for the following reason:
- i) a special policy, not requested as part of the application, was required in order to permit convenience commercial uses in the ground floor of an apartment building;
- g) the request to amend Zoning By-law No. Z.-1 to change to the zoning of the northern part of the subject property **FROM** an Urban Reserve (UR3) Zone, which permits existing dwellings, agricultural uses, conservation lands, managed woodlots, wayside pits, passive recreation uses, kennels, private outdoor recreation clubs and riding stables **TO** permit on the:

northern part of the property:

a Residential R9 Special Provision (R9-7()•H45 Zone, to permit eight storey high rise apartment buildings and townhouses, at an overall maximum density of 150 units per hectare with a total of approximately 290 units, and convenience commercial uses including convenience service establishments, convenience stores, financial institutions, personal service establishments, medical/dental offices, restaurants, brewing on premises establishments, day care centres, offices, studios, bake shops, commercial schools, florist shops and pharmacies, with

special provisions to limit all convenience commercial uses to a maximum gross floor area of 1,050 square metres, and permit front, exterior side and rear yard setbacks of 0 metres, and an interior side yard setback of 5.0 metres **TO** an Associated Shopping Area Commercial (ASA1) Zone, to permit a range of retail, convenience and personal service uses, **BE REFUSED** for the following reasons:

- i) a minimum density, in addition to a maximum density, of residential development is considered appropriate to ensure that a sufficient number of residential units are constructed to support the new Neighbourhood Commercial Node;
- ii) a maximum height of 30 metres is sufficient to accommodate the requested eight storey apartment buildings; it being noted that taller buildings would be less compatible with the surrounding future low density residential development;
- iii) adjustments to the detailed special provisions for yard setbacks in the Residential R9 (R9-7) Zone were required for technical reasons and to ensure that the buildings and structures are located close to the road allowances in support of urban design objectives;
- iv) for technical reasons, the application of a CC6() Zone to allow convenience commercial uses in the ground floor of an apartment building is preferred, instead of a special provision to the Residential R9 (R9-7) zone;
- v) the range and scale of uses permitted within a Neighbourhood Shopping Area Zone variation is more appropriate within a Neighbourhood Commercial Node than an Associated Shopping Area Commercial Zone variation;
- vi) adjustments to the detailed special provisions in the Neighbourhood Shopping Area (NSA5) Zone for yard setbacks and parking location were required for technical reasons and to ensure that the buildings and structures are located close to the road allowances in support of urban design objectives; and,
- vii) a holding provision, affecting the entire site, which requires the completion of a Transportation Impact Study prior to site plan approval is required;

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

12. Property located at 2095 Coronation Drive

Recommendation: That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the following actions be taken with respect to the site plan approval application of Banman Developments (West) Inc., relating to the property located at 2095 Coronation Drive:

- a) the Approval Authority **BE ADVISED** that, at the public participation meeting of the Planning and Environment Committee held with respect to this matter, the following issues were raised:
 - i) the requirement for a pedestrian access to the park at the end of the driveway into the neighbourhood; and,
 - ii) the elevation of the decks; it being noted that the concerns with the deck elevations were alleviated;
- b) the Approval Authority **BE ADVISED** that the Municipal Council supports the approval of the attached Site Plan for residential development; and,

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

- R. Knutson, on behalf of the applicant – expressing concern with the requirement for a pedestrian access to the park at the end of the driveway into the neighbourhood; noting that he has investigated this matter with legal counsel and an Ontario Municipal Board decision on a similar matter in Guelph; also noting that this requirement is beyond the

- Municipal authority to request.
 - Gary Brown, 35A – 59 Ridout Street – expressing support for the wrought iron fence; indicating that it would be nice if the City owned the land and it was retained for open space; and indicating that the proposed design is nice.
 - Tim Boston, 1852 Bayswater Crescent – expressing concern with the elevation of the decks.
 - Jeff Whitney, 1828 Bayswater Crescent – expressing appreciation to Mr. Knutson for attending his property to alleviate his concerns; indicating that the proposed landscaping is nicer than the slides provided tonight; and expressing appreciation to Mr. Knutson for minimizing the impact of the development on their property. (2013-D11)
13. Properties located at 56-82 Wellington Street, 283-323 South Street and 69-77 Waterloo Street (OZ-8114)

Recommendation: That, notwithstanding the recommendation of the Managing Director, Planning and City Planner, the application of the Fincore Group, relating to the properties located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street, the following actions be taken:

- a) the application **BE REFERRED** back to the Civic Administration for further discussion with the applicant and to report back at a second public participation meeting, to be held at a future meeting of the Planning and Environment Committee, on the following matters:
- i) the issues of property ownership;
 - ii) the phasing of the proposed development;
 - iii) the 100 year flood line as defined by the Upper Thames River Conservation Authority;
 - iv) ensure the elegance of the design;
 - v) the proposed limit of the Business District Commercial Special Provision/Neighbourhood Facility Zone; and,
 - vi) the establishment of a work plan for the completion of sanitary and storm sewer studies, with sources of financing;
- b) a special meeting of the Planning and Environment Committee **BE HELD** on Tuesday, March 5, 2013 at 3:00 p.m. to receive advice that is subject to solicitor-client privilege, including communications necessary for this purpose, relating to the issues of property ownership and the equality of potential land purchases in this area;

it being noted that there will be ongoing consultation between the applicant, the Civic Administration and the community;

it being also noted that a communication, dated February 24, 2013, was received from E. Dziadura, 101 Waterloo Street, with respect to this matter;

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

- Ron Robertson, applicant – see attached presentation.
- Laurie Bursch, 356 Grey Street, on behalf of the SoHo Community Association – indicating that the SoHo Community Association is not against development; noting that the SoHo Community Association is against bad development; indicating that they are lucky that they have access to the Thames River; requesting that shadowing be considered; requesting that valuable lands are not purchased and then sold; requesting that any development conform with the SoHo Community Plan; indicating that the current plan complements the neighbourhood; noting concern that what they see is not what is going to be built; indicating that these lands could be a showplace for London; and requesting that a high standard be set for development along the River.
- Jamie Edwards, 304 South Street – advising that this looks like a great development; enquiring whether or not the eight stories includes mechanical rooms; enquiring about the heat and shade indexes; noting that he will be in the buildings shadow and without the winter sun mold

will grow on his property; enquiring as to whether or not the zoning changes are permanent as Fincore does not own all the lands.

- Gary Brown, 35A – 59 Ridout Street – indicating that he supports infill; advising that he likes the proposed design; enquiring as to how far the building will be built from the Thames River; advising that the applicant is asking for zoning amendments to property that it does not own; and advising that this is not a precedent we should set.
- Tim Sher, London Village Rentals Limited – advising that the site plan appears to have a median in the roadway which would block his driveway; expressing concern with the monolithic parking garage; enquiring if something similar to the Renaissance Towers could be built; expressing concern with the targeting of the 55+ age group as the neighbourhood attracts young people and families.
- Peter Dziadura, 101 Waterloo Street – enquiring as to the timelines for the proposed development; noting that he will be living through the construction; enquiring if the buildings will be built in phases or all at once; and enquiring as to how this will be incorporated with the Victoria Hospital renovations. (2013-D14A)

IV. ITEMS FOR DIRECTION

14. Student Rental Housing

Recommendation: That the communication, dated September 25, 2012, from M. Noskiewicz, Goodmans, with respect to Student Rental Housing in Zoning By-law No. Z.-1 **BE REFERRED** to the Civic Administration and the Town & Gown Committee to determine how this can be applied using the Near Campus Neighbourhoods; it being noted that this include the modification of existing or the creation of new by-laws. (2013-D14A)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

None.

VI. CONFIDENTIAL

(Confidential Appendix to the 5th Report of the Planning and Environment Committee enclosed for members only.)

The Planning and Environment Committee convened in camera from 6:09 PM to 6:10 PM, after having passed a motion to do so, with respect to the following matter:

- C-1 A matter being considered pertaining to litigation or potential litigation with respect to the appeal of Middlesex Vacant Land Condominium Corporation No. 677 to the Ontario Municipal Board, including matters before administrative tribunals, affecting the municipality or local board from an approval of a minor variance by the Committee of Adjustment for development of 181 Skyline Road; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection the appeal of Middlesex Vacant Land Condominium Corporation No. 677, including matters before administrative tribunals, affecting the municipality or local board from an approval of a minor variance by the Committee of Adjustment for development of 181 Skyline Road; and giving instructions and directions to the solicitors of the municipality in connection with the appeal of Middlesex Vacant Land Condominium Corporation No. 677 to the Ontario Municipal Board, including matters before administrative tribunals, affecting the municipality or local board from an approval of a minor variance by the Committee of Adjustment for development of 181 Skyline Road.

VII. ADJOURNMENT

The meeting adjourned at 9:02 p.m.