

Planning and Environment Committee

Report

The 12th Meeting of the Planning and Environment Committee
August 10, 2020

PRESENT: Councillor M. Cassidy (Chair), A. Hopkins, S. Turner, A. Kayabaga, Mayor E. Holder

ABSENT: J. Helmer

ALSO PRESENT: H. Lysynski, J.W. Taylor and B. Westlake-Power

Remote Attendance: Councillors S. Hillier, S. Lewis, E. Pelozo and M. van Holst; A. Anderson, G. Barrett, J. Bunn, E. Copeland (Captioner), S. Corman, G. Dales, I. De Ceuster, M. Feldberg, G. Kotsifas, J. Lee, T. Macbeth, J. MacKay, S. Meksula, L. Mottram, B. O'Hagan, M. Pease, L. Pompili, J. Raycroft, C. Saunders, M. Schulthess, B. Somers, M. Tomazincic, D. Turner, B. Westlake-Power and S. Wise

The meeting is called to order at 4:06 PM, with Councillor M. Cassidy in the Chair and Councillor Hopkins present; it being noted that the following Members were in remote attendance: Mayor E. Holder; Councillors S. Turner and A. Kayabaga

1. Disclosures of Pecuniary Interest

That it BE NOTED that Mayor E. Holder disclosed a pecuniary interest in clause 4.1 of this Report, having to do with the property located at 745-747 Waterloo Street, by indicating that his wife and daughter own the bakery and chocolate shops at that location.

2. Consent

Moved by: E. Holder

Seconded by: A. Hopkins

That Items 2.1 to 2.5, 2.7 to 2.10, inclusive, BE APPROVED.

Yeas: (5): M. Cassidy, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Absent: (1): J. Helmer

Motion Passed (5 to 0)

2.1 Application - 3087 White Oak Road Whiterock Subdivision - Special Provisions 39T-18505

Moved by: E. Holder

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Planning, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Whiterock Village Inc., for the subdivision of land legally described as Adams St PL 643 London; Reserve PL 643 London; PT LT 31 CON 2 London; PT LT 5 PL 643 London; PT Reserve B PL 643 London PT 1, 2, 3, 4, 5, 6, 7, 33R3762, situated on the west side of White Oaks Road and South of Southdale Road, known municipally as 3087 White Oak Road:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Whiterock Village Inc., for the Whiterock Subdivision, (39T-18505) appended to the staff report dated August 10, 2020 as Appendix "A", BE APPROVED;

b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated August 10, 2020 as Appendix "B";

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated August 10, 2020 as Appendix "C"; and,

d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Motion Passed

2.2 Application - 536 and 542 Windermere Road (H-9219)

Moved by: E. Holder

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by 2492222 Ontario Inc., relating to the property located at 536 and 542 Windermere Road, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 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 Special Provision (h-5*h-225*R5-5(3)) Zone TO Residential R5 Special Provision (R5-5(3)) Zone to remove the "h-5" and "h-225" holding provisions.

Motion Passed

2.3 Application - 1339-1347 Commissioners Road West (H-9179)

Moved by: E. Holder

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Milan Starcevic, relating to the property located at 1339-1347 Commissioners Road West, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 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 R8 Bonus (h-5*R8-4*B-63) Zone TO Residential R8 Bonus (R8-4*B-63) Zone to remove the holding provision

Motion Passed

2.4 Application - 3030 Singleton Avenue (H-9212)

Moved by: E. Holder

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Schlegel Villages Inc., relating to the property located at 3030 Singleton Avenue, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal

Council meeting to be held on August 25, 2020 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/R6/R7 (h-53*R5-4/R6-5/R7/D100/H30) Zone TO a Residential R5/R6/R7 (R5-4/R6-5/R7/D100/H30) Zone to remove the “h-53” holding provision.

Motion Passed

2.5 Argyle Area Regeneration Study

Moved by: E. Holder
Seconded by: A. Hopkins

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated August 10, 2020 entitled "Argyle Regeneration Study Update" BE RECEIVED for the purpose of providing Municipal Council with an update on the progress of the Argyle Regeneration Study; it being noted that City Planning staff will continue to work with the Argyle Business Improvement Area (BIA) and community stakeholders and groups, to provide support and education regarding the planning process and the framework for community regeneration and development.

Motion Passed

2.7 Application - 1160 Wharnccliffe Road South (H-9217)

Moved by: E. Holder
Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Goldfield Ltd., relating to the property located at 1160 Wharnccliffe Road South, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 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 R4 Special Provision (h*h-100*h-104*h-155*R4-4(2)) Zone TO a Residential R4 Special Provision (R4-4(2)) Zone to remove the “h, h-100, h-104 and h-155” holding provisions.

Motion Passed

2.8 Application - 6990 Clayton Walk (H-9054)

Moved by: E. Holder
Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by 2219008 Ontario Ltd. (York Developments), relating to the property located at 6990 Clayton Walk, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 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 Special Provision (h*h-100*h-198*R6-5(44)) Zone TO a Residential R6 Special Provision (R6-5(44)) Zone to remove the “h, h-100 and h-198” holding provisions.

Motion Passed

2.9 Strategic Plan Progress Variance

Moved by: E. Holder
Seconded by: A. Hopkins

That, on the recommendation of the Managing Director, Development and Compliance Services, the staff report dated August 10, 2020 entitled "Strategic Plan Progress Variance" BE RECEIVED for information.

Motion Passed

2.10 Building Division Monthly Report for June 2020

Moved by: E. Holder
Seconded by: A. Hopkins

That the Building Division Monthly Report for the month of June, 2020 BE RECEIVED for information. (2020-A23)

Motion Passed

2.6 Protected Major Transit Area Information Report (O-9208)

Moved by: S. Turner
Seconded by: A. Hopkins

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the application by The Corporation of the City of London relating to Protected Major Transit Station Areas (PMTSAs):

a) the staff report dated August 10, 2020 entitled "Protected Major Transit Station Areas Information Report" BE RECEIVED for information; and,

b) the above-noted report with draft PMTSA policies BE CIRCULATED to stakeholders and the general public for comments;

it being noted that an Official Plan Amendment to add PMTSA policies to the London Plan will be considered at a future public participation meeting of the Planning and Environment Committee.

Yeas: (5): M. Cassidy, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Absent: (1): J. Helmer

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Remove References to 1989 Official Plan from Zoning By-law Z.-1 (Z-8909)

Moved by: E. Holder
Seconded by: S. Turner

That consideration of removing references to the 1989 Official Plan from Zoning By-law No. Z.-1 BE POSTPONED to a public participation meeting at the September 8, 2020 Planning and Environment Committee meeting;

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the attached public participation meeting record made an oral submission regarding these matters.

Yeas: (5): M. Cassidy, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Absent: (1): J. Helmer

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Kayabaga
Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (5): M. Cassidy, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Absent: (1): J. Helmer

Motion Passed (5 to 0)

Moved by: A. Kayabaga
Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (5): M. Cassidy, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Absent: (1): J. Helmer

Motion Passed (5 to 0)

3.2 3635 Southbridge Avenue - Draft Plan of Vacant Land Condominium
39CD-20506

Moved by: S. Turner
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, relating to the property located at 3635 Southbridge Avenue:

a) the Approval Authority BE ADVISED that no the issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3635 Southbridge Avenue; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3635 Southbridge Avenue;

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the attached public participation meeting record made an oral submission regarding these matters.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Turner
Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (5): M. Cassidy, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Absent: (1): J. Helmer

Motion Passed (5 to 0)

Moved by: S. Turner
Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

3.3 3575 Southbridge Avenue - Draft Plan of Vacant Land Condominium
39CD-20507

Moved by: E. Holder
Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, relating to the property located at 3575 Southbridge Avenue:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3575 Southbridge Avenue; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3575 Southbridge Avenue;

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the attached public participation meeting record made an oral submission regarding these matters.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

Additional Votes:

Moved by: A. Hopkins
Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

Moved by: E. Holder
Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder

Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

3.4 Application - 221 Queens Avenue (TZ-9197)

Moved by: A. Hopkins

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and City Planner, based on the application by Sifton Properties Limited, relating to the property located at 221 Queens Avenue, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to extend the Temporary Use (T-69) Zone for a period not exceeding three (3) years;

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

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

- the proposed amendment is consistent with the PPS, 2020 in that it ensures that sufficient parking is provided in the Downtown which promotes economic development by supporting existing economic activities and businesses that currently rely on this parking supply for workers;
- the proposed amendment conforms to the 1989 Official Plan, including but not limited to section 4.1.10 which supports the provision of adequate and well-located off-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown; and,
- the proposed amendment conforms to the in-force policies of The London Plan, including but not limited to the Downtown Place Type and the Temporary Use Provisions policies of the London Plan.

Yeas: (3): M. Cassidy, A. Hopkins, and E. Holder

Nays: (1): S. Turner

Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (3 to 1)

Additional Votes:

Moved by: S. Turner

Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder

Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

Moved by: S. Turner

Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder

Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

3.5 Draft Plan of Vacant Land Condominium - 965 Upperpoint Avenue 39CD-20508

Moved by: A. Hopkins
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, relating to the property located at 965 Upperpoint Avenue:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 965 Upperpoint Avenue; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 965 Upperpoint Avenue;

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the attached public participation meeting record made an oral submission regarding these matters.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

Additional Votes:

Moved by: A. Hopkins
Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

Moved by: A. Hopkins
Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

3.6 Application - 2040 River Road (Z-9133)

Moved by: S. Turner
Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Global Waste Disposal London Ltd, relating to the property located at 2040 River Road:

a) the proposed, revised, attached by-law BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 to amend

Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a holding General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone TO an Open Space Special Provision (OS5(_)) and a holding Light Industrial Special Provision/General Industrial Special Provision (h-47*LI6(_)/GI2(_)) Zone; and,

b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a holding General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone TO a Light Industrial/General Industrial Special Provision (LI6/GI2(_)) Zone, BE REFUSED as there is inadequate protection for the long-term preservation of the area of re-naturalization, and an Open Space Special Provision (OS5(_)) Zone is appropriate to clearly delineate the area to be protected and ensure the undisturbed future viability of this re-naturalized area;

it being noted that the following site plan matter was raised during the application review process: to restore an area of disrupted natural heritage feature with an accepted restoration plan;

it being further noted that the Planning and Environment Committee reviewed and received a communication dated July 29, 2020 from T. Annett, Manager, Environmental Planning and Regulations, Upper Thames River Conservation Authority, with respect to this matter;

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

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

- the proposed new use of the site is consistent with the Provincial Policy Statement 2020, as it maintains the function and economic contribution of the employment lands and restores a natural heritage area;
- the recommended amendment conforms to the in-force policies of The London Plan including but not limited to the policies of the Heavy Industrial Place Type;
- the proposed industrial use is appropriate for the subject site and conforms to the in-force policies of the 1989 Official Plan including but not limited to the General Industrial policies of Chapter 7;
- the recommended amendment will ensure the continued operation and viability of the industrial area for current and future uses; and,
- the enhancement and restoration area to be zoned for the long-term protection of the feature conforms to the in-force policies of the 1989 Official Plan including but not limited to Chapter 15, and the in-force and effect policies of The London Plan including, but not limited to the Environmental Policies. (2020-D13)

Yeas: (3): M. Cassidy, A. Hopkins, and S. Turner

Nays: (1): E. Holder

Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (3 to 1)

Additional Votes:

Moved by: S. Turner

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

Moved by: A. Hopkins
Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

4. Items for Direction

- 4.1 Request for Council Resolution, under section 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13 – 745-747 Waterloo Street

Moved by: S. Turner
Seconded by: A. Hopkins

That, the following actions be taken with respect to the property located at 745-747 Waterloo Street:

a) on the recommendation of the City Clerk, the report dated August 10, 2020 and entitled "Request for Council Resolution, under section 45(1.4) of the *Planning Act, 1990, c. P.13 - 745 - 747 Waterloo Street*" BE RECEIVED for information; and,

b) the request to accept a Minor Variance application for the purpose of amending the definition of Stacked Townhouse relating to the property located at 745-747 Waterloo Street BE DENIED;

it being noted that the Planning and Environment Committee heard a verbal delegation from M. Doornbosch, Brock Development Group, with respect to this matter.

Yeas: (3): M. Cassidy, A. Hopkins, and S. Turner
Recuse: (1): E. Holder
Absent: (1): A. Kayabaga

Motion Passed (3 to 0)

Additional Votes:

Moved by: A. Hopkins
Seconded by: M. Cassidy

That M. Doornbosch BE GRANTED delegation status relating to the request for a minor variance application for the property located at 745-747 Waterloo Street.

Yeas: (3): M. Cassidy, A. Hopkins, and S. Turner
Recuse: (1): E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (3 to 0)

- 4.2 G. Pearson, Co-executive Director, London Food Bank and J. Roy, Co-executive Director, London Food Bank - Request to Waive Fees for City-wide Planning Application

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

The Civic Administration BE DIRECTED to initiate the requested City-wide application on behalf of the London Food Bank, with respect to the removal of barriers to growing food; it being noted that the Planning and Environment Committee reviewed and received a communication dated July 30, 2020, with respect to this matter. (2020-D09)

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

4.3 The Silverleaf Community - Reconsideration Request - Sidewalk Installation

That the following actions be taken with respect to the communication from "The Silverleaf Community" and subsequent request for delegation from the "Residents of Silverleaf" with respect to safety concerns related to Silverleaf Chase and Silver Creek streets:

- a) the Civic Administration BE DIRECTED to review the concerns outlined in the above-noted communication regarding "safety, road mobility, unfettered access to roads by residents and clear access for service, transportation and emergency vehicles" and to report back addressing the concerns raised;
- b) the request for delegation BE GRANTED for a representative of the "Residents of Silverleaf" to speak at a future meeting of the Planning and Environment Committee when the staff report noted in a) above is brought forward for consideration; and,
- c) the communications and the delegation request from the residents of Silverleaf community BE RECEIVED. (2020-T04)

Additional Votes:

Moved by: A. Hopkins
Seconded by: E. Holder

Motion to approve the following recommendations:

"That the following actions be taken with respect to the communication from "The Silverleaf Community" and subsequent request for delegation from the "Residents of Silverleaf" with respect to safety concerns related to Silverleaf Chase and Silver Creek streets:

- a) the Civic Administration BE DIRECTED to review the concerns outlined in the above-noted communication regarding "safety, road mobility, unfettered access to roads by residents and clear access for service, transportation and emergency vehicles" and to report back addressing the concerns raised;
- b) the request for delegation BE GRANTED for a representative of the "Residents of Silverleaf" to speak at a future meeting of the Planning and Environment Committee when the staff report noted in a) above is brought forward for consideration."

Yeas: (3): M. Cassidy, A. Hopkins, and E. Holder
Nays: (1): S. Turner
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (3 to 1)

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

Motion to receive the communications and delegation request:

"That the communications and the delegation request from the residents of Silverleaf community BE RECEIVED."

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 7:57 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – Remove References to 1989 Official Plan from Zoning By-law Z.-1 (Z-8909)

- Councillor Cassidy: Thank you Mr. Macbeth. I see Mr. Wallace in Committee Room 1 / 2 so I will go to Mr. Wallace.
- Mike Wallace, Executive Director, London Development Institute: Thank you Madam Chair and I appreciate the Committee's opportunity to speak to this particular and I have four points. Just so you know, it's Mike Wallace, just for the record, from the London Development Institute, our office is at 562 Wellington, Suite 203. There are four points I want to make regarding this report with a request at the end. First is the timing of this report. It, my, we are the major appellant of The London Plan, the LDI, and I got, this came out on the agenda last Wednesday afternoon, I don't know, say Noon, both my legal staff and my planning individual group that looks after our appeal are not available; this is mid-summer, it is the week of the long weekend and you bring forward a major piece of policy change to The London Plan to the Zoning By-law during the week. Those people who are spending thousands and thousands of dollars who have been representing us for over the years that The London Plan has been under appeal are just not available this week so the timing of this report is suspect in my view. I know I'm normally in front of you with all kinds of good news about things but today is not one of them. And then there was, Mr. Macbeth talked about the notices before and certainly I have them and they say possible amendment, possible amendment, possible note without any details, which is fine but I am, as Councillor Turner pointed out in the previous discussion, the report on the major transit study is going out for public comment, our group will be commenting on it, I think it is a fantastic piece of opportunity for our organization to be honest and my members as long as you guys are able to put up with the not in my own backyard discussion that will come but the, that is the kind of thing that, you know, we have been working with the City on settlement discussions for months now and we have an opportunity to make things better, to make this happen. The fact is all the maps, all the maps in The London Plan are under appeal, every single, so how do you have policies where none of the maps are actually in force. Now I haven't had my professional staff, the people that, the consultants that we have, look at the actual document, we could be in favour of everything that is in here, I do not know. I don't have that skill set and I rely on those people to tell me but I can say things like on page two and on page three you talk about the Zoning By-law has to conform to the OP. I agree one hundred percent but the OP that is in effect and The London Plan is not in effect at present, parts of it may be but not the whole thing and including the maps so we need time for our Planners, at least a cycle, at least one of the Council meetings or a cycle in September so I can give you proper feedback on what that report says. Another thing that boggles my mind a bit is that we have talked about and we have been involved in this ReThink Zoning, which is a great idea, I have been involved on your side of the fence, on a comprehensive Zoning By-law change to the community I used to live in, it takes time and effort. We're piece meal. At one point we want to talk about a comprehensive review of the Zoning By-law but here we are piece mealing it to Z.-1 and so it kind of, it's inconsistent, let me just put it that way. That we talk about a comprehensive review once The London Plan is in place and we need the Zoning By-law to match. I one hundred percent agree but why are we doing piece meal here? We have been working hard with the City, I would say we have a, based on my experience throughout the province, and the country, we have a very good working relationship here with our organization and the City and the community and I think we are working well on a whole bunch of different topic areas and policy areas and I wouldn't want to see that change. Look, let's be completely frank, a change to the Zoning By-law

is appealable. We do not want to be going down that road when we are in the middle of trying to make things, improve things and make things happen. Get that London Plan in place in a format that we all can live with then we work on the zoning to make sure it matches that agreed upon Official Plan but that is not in place yet. The 89 Plan is still in effect in many parts of the City's Official Plan. The London Plan is coming in but we still have time. So here is my ask, deferral for at least a month so I can have my people at least look at it and give you a proper response instead of in the middle of summer. You can do a couple of things as far as I know, you can receive and file the report, nothing happens to it and then we are bringing it back again another time, you can put it on the Deferred List, I know you have a Deferred List on your agendas in the Committees or just a straight deferral not having it come forward as a by-law introduction on the 25th of August but either the second, the middle of the month in September you have a Council meeting or on the 29th, I think it is, and the end of September, at least give us a chance to have it analysed, to analyse the significant report. Thank you.

- Councillor Cassidy: Thank you Mr. Wallace. I will go to the Committee Rooms to see if there are any members of the public who would like to comment or ask questions about this. I'm looking at my screen. I don't see anyone coming forward to the microphones so I don't believe there are members that the public interested in commenting on this item other than Mr. Wallace, who we have heard from so I will look for a motion from Committee to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – 3635 Southbridge Avenue – Draft Plan of Vacant Land Condominium 39CD-20506

- Councillor Cassidy: Thank you Mr. Mottram. I'll look first to see if the applicant is here. That's the applicant in Committee Room 5 and you would like to address the Committee. Go ahead. State your name and you have five minutes.
- Lindsay Clark, Sifton Properties: Thank you very much. I would just like to say that we are in agreement with the recommendation brought forward this afternoon and I am available for any questions that you may have. Thank you.
- Councillor Cassidy: Thank you Ms. Clark. Are there any technical questions for staff or the applicant? I'm seeing none. Is there, are there any members of the public in either of the Committee Rooms here to speak to this? I'm not seeing any movement. Are there any public members looking to speak to this at 3635 Southbridge? Seeing none, I will look for a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – 3575 Southbridge Avenue – Draft Plan of Vacant Land Condominium 39CD-20507

- Councillor Cassidy: Thank you Mr. Mottram. I see Ms. Clark again at the microphone. Would you like to speak?
- Lindsay Clark, Sifton Properties: Thank you again. I'm just, to restate, I'm Lindsay Clark with Sifton Properties and we are also in agreement with the recommendations brought forward and I am available again for any questions that you may have. Thank you.
- Councillor Cassidy: Thank you. Are there any members of the public in the Committee Rooms to speak to this item, 3575 Southbridge Avenue? I'm not seeing any movement towards the microphones so I will look for a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – 221 Queens Avenue (TZ-9197)

- Councillor Cassidy: Thank you Mr. de Ceuster and I see Ms. Clark is at the microphone again representing Sifton. If you would like to go ahead.
- Lindsay Clark, Sifton Properties: Thank you. Just again, to restate, that we are in agreement with the recommendations brought forward and I am available for any questions that you may have. Thank you.
- Councillor Cassidy: Thank you. Do you have a technical question Councillor Turner? Did I see your hand go up?
- Councillor Turner: It's kind of twitching but yeah, I have got two technical questions.
- Councillor Cassidy: Ok. Go ahead.
- Councillor Turner: Just a question of how the site winds with the City's parking strategy? That would be for Mr. de Ceuster.
- Councillor Cassidy: Mr. de Ceuster go ahead.
- Isaac de Ceuster, Planner I: Thank you Madam Chair. Through the Chair, out of all of the temporary surface parking lots in Downtown London 221 Queens Avenue is one of the most visually appealing of the ones we have. In addition, it is also located in one of the sub areas that have been identified with a very high utilization rate of eighty-one percent. Although the recommendation is a gradual approach to discontinue temporary zone permissions for surface parking lots it also states that this should happen in areas where utilization rates are low and sub area four is one of the highest areas so staff is recommending you extend the by-law for at least one more time in order to wait for rapid transit and for potential public parking nearby. Thank you.
- Councillor Cassidy: Councillor Turner you have another one?
- Councillor Turner: Yes. Thank you and it's to the representative for the applicant. The question would be, has Sifton or the owner started to contemplate what future uses might be should the temporary parking permissions expire at some point?
- Lindsay Clark, Sifton Properties: Yes. I am not entirely certain on our future plans for this area. I do know that our current demand is necessary as it does service three of our primary commercial buildings downtown located at 171 Queens, 200 Queens and 195 Dufferin so those are currently what we are requiring the surface parking for to support these commercial buildings so I can't state for certain what our future intentions are of this property but I mean at that point down the road we can revisit this in terms of extending this, excuse me, extension of the temporary zoning by-law.
- Councillor Turner: Thank you.
- Councillor Cassidy: Thank you Ms. Clark. Are there any other members of the public that have questions or comments on this item? Looking in the Committee Rooms 1 and 2 and 5 to see if there are public participants who

would like to speak to this application. I am seeing none so I will look for a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.5 PUBLIC PARTICIPATION MEETING – 965 Upperpoint Avenue 39CD-20508

- Councillor Cassidy: Thank you and I see Ms. Clark again if you would like to go ahead.
- Lindsay Clark, Sifton Properties: Thank you again. I just want to again reiterate that we are in agreement with the recommendations and I am available for any questions that you may have. Thank you.
- Councillor Cassidy: Thank you. So I will look to the Committee Rooms to see if there are any members of the public that are interested in Item 3.5. Any members of the public who would like to speak to 965 Upperpoint Avenue application? I am seeing none so I will look for a motion to close the public participation meeting.

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 2040
River Road.

WHEREAS Global Waste Disposal London Ltd has applied to rezone an area of land located at 2040 River Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2040 River Road, as shown on the attached map comprising part of Key Map No. A113 from a holding General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone to an Open Space Special Provision (OS5(_)) Zone and a Light Industrial Special Provision/General Industrial Special Provision (h-47*LI6(_)/GI2(_)) Zone
- 2) Section Number 36.4 of the Open Space Zone (OS5) Zone is amended by adding the following Special Provision:

OS5(_) 2040 River Road

- a) Regulations
 - i) No minimum lot frontage requirement
 - ii) No minimum lot area requirement

- 3) Section Number 40.4 of the Light Industrial (LI6) Zone is amended by adding the following Special Provision:

LI6(_) 2040 River Road

- a) Regulations
 - i) Rear and Interior Side Yard Depth abutting an Open Space (OS5) Zone Variation (Minimum) 0m (0ft)
 - ii) Lands within the Open Space (OS5) Zone Variation may be used in the calculation for landscaped open space.

- 2) Section Number 41.4 of the General Industrial (GI2) Zone is amended by adding the following Special Provision:

GI2(_) 2040 River Road

- a) Additional Permitted Use

- i) Waste Transfer Station and Recycling Depot
 - ii) Definition: "Waste Transfer Station and Recycling Depot" means a type of waste disposal site as defined in the Environmental Protection Act (EPA), for non-hazardous solid wastes and liquids, including transferring, separation, processing and recycling of such wastes
- b) Regulations
- i) Frontage (Minimum) 30m (98.4ft)
 - ii) Open storage shall not be permitted in any required exterior side yard
 - iii) Front Yard Depth for open storage (Minimum) 20m (65.6ft)
 - iv) Rear and Interior Side Yard Depth abutting an Open Space (OS5) Zone Variation (Minimum) 0m (0ft)
 - v) Lands within the Open Space (OS5) Zone Variation may be used in the calculation for landscaped open space.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on August 25, 2020.

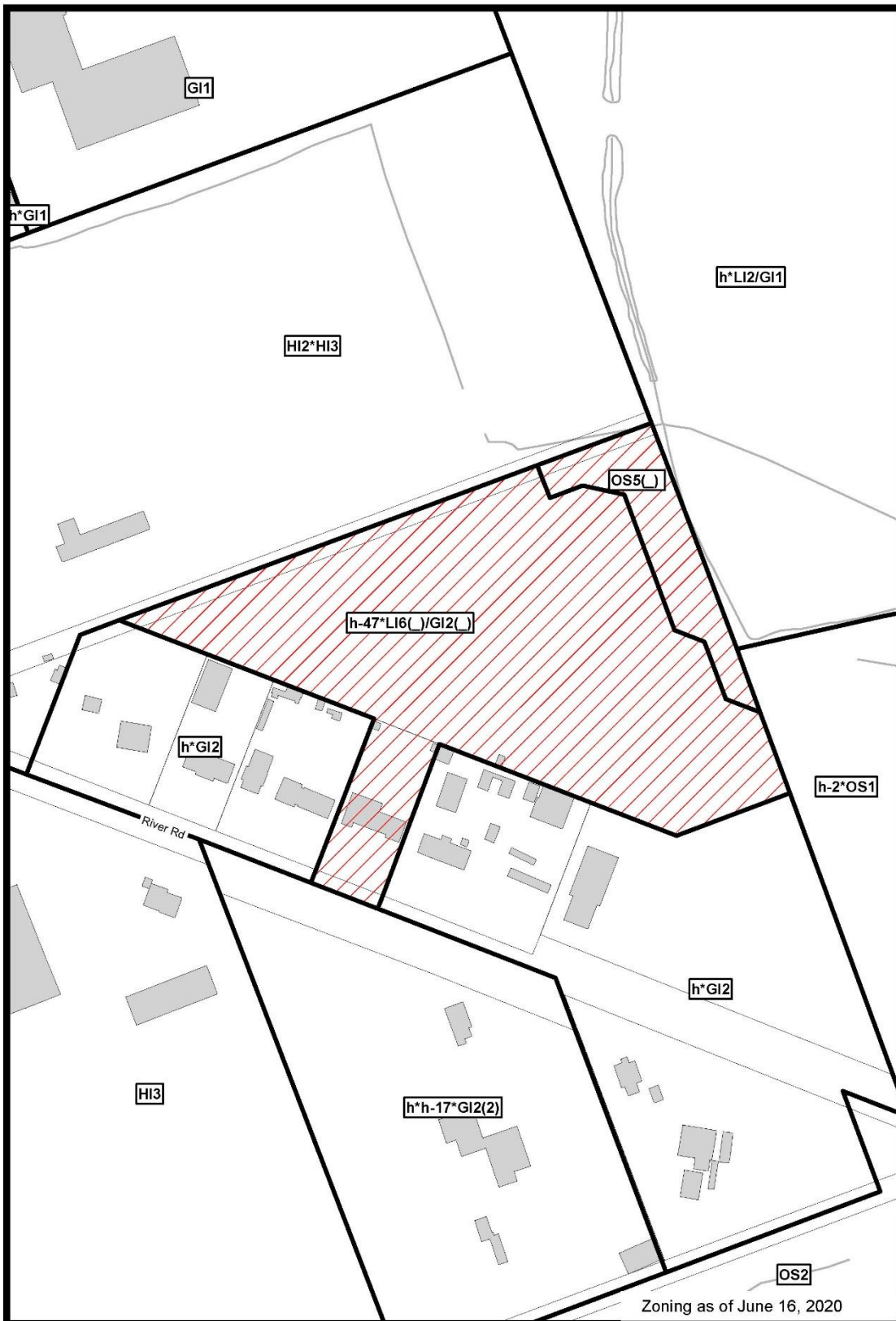
Z-9133
S.Wise

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 25, 2020
Second Reading – August 25, 2020
Third Reading – August 25, 2020

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9133
Planner: SW
Date Prepared: 2020/07/10
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



PUBLIC PARTICIPATION MEETING COMMENTS

3.6 PUBLIC PARTICIPATION MEETING – 2040 River Road (Z-9133)

- Councillor Cassidy: Okay thank you, Ms. Wise. I'll check to see if the applicant or the agent for the applicant is here and if they would like to speak to committee? Come forward and state your name and then you'll have five minutes.
- Victor Da Silva: Hi my name is Victor Da Silva and I just agree with all the recommendations, and if anybody has any questions or concerns feel free to ask.
- Councillor Cassidy: Thank you, Mr. Da Silva. Are there any members of the public here to speak to this...Sorry, I'm just conferring with the Clerk on something. Okay, so I'll go to committee and...I see you there, Councillor Hillier. Right now we'll see if there are technical questions for the applicant or for City staff, and also noting that representatives from the Upper Thames River Conservation Authority are present as well. So if committee or visiting Councillors have technical questions...I'll go to the Mayor first and then I'll go to the ward Councillor.
- Mayor Holder: Thank you, Chair. Perhaps, Ms. Wise, just based on your review, just trying to understand - what materials are being handled or intended to be handled, stored, or transferred to other sites? Could you give us some clarity around that, please?
- Councillor Cassidy: Ms. Wise.
- Sonia Wise, Senior Planner: Thank you. Through you, Madam Chair, the actual definition being requested is for a waste transfer station recycling depot, which is the type of waste disposal site that allows for non-hazardous solid wastes and liquids. There is a general definition for 'waste transfer station' within the City's Zoning By-law, currently, that would allow for the processing of liquid and hazardous waste. So, the distinction is that this is for non-hazardous solid waste and liquids. The specific operator typically deals largely with building and construction debris, so it would be fairly broad in terms of what could be processed on-site.
- Mayor Holder: So if I can, if you don't mind a couple of questions, through the Chair. So I know we've got other handlers of these various materials. So talking about primarily on the construction side – where do those products go? I know we have a pretty significant sorting function in the City, but where is the ultimate site where these products go? Are they in London? Where are they, Ms. Wise?
- Sonia Wise: Through you, Madam Chair – so for the proposed operation of the site, if your question is in regards to that – the unsorted items will be delivered through bins on-site, and then they would be separated into their different composite parts, so wood, metals, plastics, that sort of thing. And then they would be diverted based on the type of classifications. So some would probably go to the landfill; others could be recycled in that situation.
- Mayor Holder: All within the London area, through the Chair?
- Sonia Wise: Through you, Madam Chair, that may be a question that the applicant would be better to answer.

- Councillor Cassidy: Sure. Mr. Da Silva.
- Victor Da Silva: Well, ultimately...I've been in business for thirty years. I still don't see people doing it one hundred percent. I grew up with it as a kid; my dad started the company and, yeah, we're going to separate and sort whatever we can to eliminate stuff going from landfill. A lot of the other competitors do truck a lot of stuff to the States – and that's kind of not my plan. My plan is that all my residual waste will go to the City of London landfill. I obviously support the city we live in, and it creates more jobs there, right? So, ultimately, yeah – mostly construction material. It would be a sorting facility where we could pick whatever possible that is recyclable, and the residual would stay in the London W12A landfill.
- Councillor Cassidy: So, Mr. Da Silva, I think the Mayor's question is about the products that you will be recycling – where will they end up?
- Victor Da Silva: Ultimately, whatever stream they are...well it's pretty hard to tell you that right now. But, ultimately, wood would either be mulched or reused to make mulch, or to make pallets, drywall, shingles. Concrete is obviously crushed again to make recycled gravel products.
- Councillor Cassidy: Mr. Mayor.
- Mayor Holder: Yes, thanks very much. Again, back to Ms. Wise if I could, please. I'm trying to know – is the zoning recommendation that is being considered here consistent with the other recycling and waste operations in the City? Any differences, basically?
- Sonia Wise: Through you, Madam Chair – there's a pretty extensive list of various types of recycling, waste transfer facilities in the City, so there's approximately twelve to fifteen different types which would be specific to the type of material that they process. So it would be different from every site in terms of what their parameters are. There is one other waste transfer station and recycling depot operating in the City that is a unique definition; that is, a refined version of our normal waste transfer station.
- Mayor Holder: Sorry...perhaps, through you, Chair, to staff - perhaps my question wasn't as clear or maybe not even as specific, but all I'm trying to understand is...it's like same for same? So if there's a certain type of waste product that is being recycled/re-handled/re-dealt with by one firm, is it consistent and the same with another firm? I'm trying to understand if the rules are consistent as per type of waste? Is the zoning consistent right across the board for, again, I'll call it like for like? Please.
- Sonia Wise: Through you, Madam Chair – I would say that the process to establish this type of facility would be the same across the board. First up is to establish the zoning in terms of the permission for the land use (whether or not the site would be appropriate). Of course, every site would be slightly different in terms of its own context and parameters. Then there would be the environmental compliance approval with the Ministry that would be required, and then there's also a site plan approval process. So that would be consistently applied throughout the city in terms of the process and, again, each site would be slightly different. But I hope that answers your question.
- Mayor Holder: Well it certainly does in part...perhaps I can go one other way as well because I just want to understand. I mean, if there's one thing I appreciate about this committee it's that they take issues of the environment exceptionally seriously, and I would say that, from my experience, the City's

incorporated a pretty significant environmental bar in terms of all the processes that it looks at, and that's certainly been my sense since I've been on this committee, and there are colleagues that have been on this committee longer than I have been. So what I'm trying to get a sense of is there any change compromise difference in the standards that are being asked of this firm with this application as it is of the current and existing firms that deal with that?

- Michael Tomazincic, Manager, Current Planning: Madam Chair, it's Michael Tomazincic here, if I can chime in?

- Councillor Cassidy: Go ahead.

- Michael Tomazincic: We don't have applications for this type of use very often. In fact, this is the first one that I can remember (although someone might challenge me on that), and so for me to say that we've treated other people consistently or not since this is the first one, I can say that any others that come forward will be treated in the same manner. So there's the rezoning process which we're deciding today, and then there's the site plan and the operations of the facility which come later through the MoE certificate and site plan, and they might have different operational standards which I just would not know about because it comes through a subsequent process, but in terms of how we treat these sites through zoning then I would say yes, we are being consistent.

- Mayor Holder: So then since tonight's focus, Chair, is on the zoning component, and this proposal is a light industrial zoning, is that the same zoning used for other waste disposal sites that exist in the City? Through you to staff, Chair.

- Sonia Wise: Through you, Madam Chair, just as a point of clarity - so the site has, currently, a general industrial zone on it and a portion of the site is light industrial. The recommended zoning is to have the light industrial added to the entire site so that it would be a split zone. That means that the specific use for the waste station would be added to the general industrial zone classification, zone variation, and that is something that would be appropriate in that 'zone family'.

- Mayor Holder: Sure, I appreciate that. So my question was is the proposed light industrial - the broader zoning - has that designation been used on other waste disposal sites currently in existence?

- Sonia Wise: Through you, Madam Chair, yes. So the other operating waste transfer station and recycling depot is within a general industrial zone and that is of the similar...that is the exact same defined use and a similar type of facility.

- Mayor Holder: Thank you, Chair. Thank you, staff. I may come back in with a question or so, but I appreciate that information.

- Councillor Cassidy: Councillor Hillier.

- Councillor Hillier: Thank you very much, and thank you for receiving me today. I'm assuming this is a large business expansion; I'm looking at the site, it looks very nice and I'm all in favor of that, but I have a few concerns. One - that they're staying within the current lists of materials that they have now. When I go on their website, I'm looking at contaminated soils. And now I'm looking at this site and I'm wondering, are they going to be doing more storage on this site? Because if they're going to be stockpiling contaminated soils, we're going to have

an issue with water runoff. I'm curious about this.

- Councillor Cassidy: I believe that's for the applicant.
- Victor Da Silva: Yeah, we do...our trucking company does truck a lot of contaminants. Not a lot, but you know, a little bit over the years, right? All our contaminated soil goes to GFL up in Dorchester there, so ultimately we're close to a facility that does recycle it, so that's really why we do a lot of it.
- Councillor Hillier: Right, so it won't be stored on site then?
- Victor Da Silva: No, no. Nothing liquid or hazardous waste will be stored on site. Kind of my idea is to...instead of having these huge piles that make a mess and create dust and so on, I want to be a lot more efficient. I want to bring it in and bring it out right away. I don't want to have these stockpiles that look like huge mountains, you know - that's the last thing I want to do. I want to be small, efficient and clean, right?
- Councillor Hillier: And that's exactly what I'm concerned about - large piles of this stuff gathering, and then the waste water, because we're a lot closer the river now.
- Victor Da Silva: No I totally understand that. I've seen some of the other facilities and, yeah, they do stockpile big piles and it floods from time to time. Yes, that's totally what I want to avoid because obviously, just business-wise, the more water that gets in those piles the more expensive they are to get rid of in the end, right?
- Councillor Hillier: Yes, thank you.
- Councillor Cassidy: Okay, Councillor Hopkins and then Councillor Turner.
- Councillor Hopkins: Thank you, Madam Chair. We're still on technical questions here, right?
- Councillor Cassidy: Yes, Councillor.
- Councillor Hopkins: Thank you for the reminder. So I do have a couple questions. The first one - maybe this is to the applicant regarding organic waste. How is that dealt with here on this site?
- Councillor Cassidy: Mr. Da Silva, will you be processing organic waste on this site?
- Victor Da Silva: Yeah, ultimately there would be no composting or anything like that on the site. Ultimately, what you might see is maybe some dirt, but it gets sorted out and stuff. But other than that, no, nothing that would be composting or organics.
- Councillor Hopkins: So I understand no organic waste on the site? And the reason I'm asking that question - it relates to odor and smells, and I know dirt can smell too if there's some organic component. So not sure what I heard - again if you could clarify - are we going to be...are you going to be storing organic waste or processing organic waste on this site.
- Victor Da Silva: No, not at all. I do understand your concern for the smell and stuff. Actually, in the application it actually states 'no household waste and stuff like that', right? So, really, the household waste or composting - that's what

would really create smells. I'm sure you guys have seen it around the City, the same cases, right? But, yeah, this is strictly...I'd say ninety five percent construction and demolition materials that will be sorted, you know, to pull wood and steel and drywall and shingles out; and obviously, residual goes to landfill, right?

- Councillor Cassidy: Okay thank you, Mr. Da Silva. Councillor Hopkins, any other questions?
- Councillor Hopkins: Yes, I do. Just following up on my first question there, and maybe this is directed to City staff - with the organic waste portion of this facility, would that be considered through a site plan or would there be recommendations through a site plan that organic waste would not be part of this facility?
- Sonia Wise: Through you, Madam Chair - the defined use that is requested is fairly broad. It just has to be 'non-hazardous' solid waste, so that could include household waste, you know, despite the user not intending that. If the committee wants, there are other definitions that could be used in its place. Specifically, we have a construction and demolition recycling facility that would be more appropriate and is specific to that type of industry. And then there would have to be certain additions for things like contaminated soil that aren't specifically included in that definition that are part of the operation, so there are options if there is an issue with the range of uses and waste permitted on site.
- Councillor Hopkins: Thank you for that. And would that happen through rezoning now, these definitions to be a suggested or incorporated? Or is that part of the site plan process?
- Sonia Wise: Madam Chair, that would have to occur through the zoning, so that would be the 'defined use' specifying what would be permitted on site.
- Councillor Hopkins: Thank you for that. My second technical question is around the H-47 which is the amendment that is being introduced here to the previous recommendation. Could you explain the H-47 holding provision, just for clarification?
- Sonia Wise: Certainly. Through you, Madam Chair - the H47 is a requirement for the applicant to receive an environmental compliance approval from the Ministry. There was a little bit of confusion in terms of the timing. When they received their ECA in February of this year, what exactly was involved in that ECA? And, as it turns out, we learned that it is not for the full use; that would still have to be permitted by Council first. It was simply for the storage of empty bins and vehicles on-site, so it was...in error, we thought that they had achieved their ECA ahead of time, but it turns out they need yet another one. So that's why the H47 is being proposed.
- Councillor Hopkins: Thank you for that clarification. My last question, Madam Chair, is regarding consultation with our Director with the City of London Environmental Services - will that be part of the process moving through the site plan process?
- Councillor Cassidy: Ms. Wise.
- Sonia Wise: Through you, Madam Chair - so during the circulation process, we do reach out to our colleagues in Solid Waste, which is the case here. So the various departments received notice in July as well as in June of this year, so notice was provided and we were engaging the Manager of Solid

Waste later in the process than usual, but he is aware of the application and the future opportunities for involvement in discussion.

- Councillor Cassidy: Councillor Turner.
- Councillor Turner: Thanks, Madam Chair. This has generated a lot of discussion. Couple quick technical questions. I think as I read through this, it appears that the delineation of the OS-5 is based on the fact that - is this correct - that the environmental feature has not been evaluated through an environmental impact study? So the delineation - is that to the greatest extent, then, that any potential buffers or distance separation from the operation and the feature would occur?
- Councillor Cassidy: Ms. Wise.
- Sonia Wise, Senior Planner: Through you Madam Chair we also have the City's Ecologist James MacKay on the call and I might just defer that question to him.
- Councillor Cassidy: The Clerk is going to comment here.
- Barb Westlake-Power, Deputy City Clerk: We have not had Mr. MacKay join the meeting as of yet. We do have an unidentified person waiting in the waiting room so I'm not sure if that may be Mr. MacKay or not. I have reached out to his Manager to find out if that's the case but I haven't heard back so I'm not sure but he's not currently in the meeting.
- Councillor Cassidy: So Mr Feldberg had his hand up briefly there and then he disappeared from, from my screen. Are you there Mr Feldberg?
- Matt Feldberg, Manager Development Services (Subdivisions): Yes Madam Chair. Typically Mr. MacKay does have an unidentified phone but I will connect with him if we could defer your question Councillor Turner for a few moments.
- Councillor Turner: Fair enough. I think what I am, the general gist of the questions that I'm going to ask surround the delineation of the separation between the, the operation and the environmental future. The Upper Thames has recommended an OS4 and an OS5 in this circumstance. I think we applied the OS5 because it incorporates all the same protections that would be included in an OS4 as hazard lands so I can appreciate that the, in the report, it goes on to talk about how the, the patches and, and areas here are Environmental Review and unevaluated lands so I wasn't sure if there is a condition as part of site plan to require an Environmental Impact Study so that the boundaries and delineations and buffers could be appropriately identified. The second concern that I have with that is associated with the buffers tend to be associated with, I guess, land disturbances that might change the water flows and stormwater management, any interruptions of groundwater recharges, PSW's, the size and significance of a significant woodland. I'm wondering to what extent buffering or distancing has been contemplated in terms of any possible seepage of materials that might be processed or handled that could have toxins and Councillor Hillier raised a point about infiltration into the water system, the river or otherwise and how that's, I think, from what I'm reading here, is that it's identified by taking the greatest extent but I'm wondering if an EIS is contemplated or has been performed.
- Councillor Cassidy: So I wonder Ms. Wise if you can answer about the, if the EIS has been contemplated.

- Sonia Wise, Senior Planner: Madam Chair, I might just start this but we do have UTRCA staff that I think would also be able to provide a helpful response. With regards to the EIS requirements it would have been something that we would have asked for during the application review for the zoning and also the, sorry, the disturbance of that site was also within an area of the regulated area of the Upper Thames River Conservation Authority so they would have required a separate permitting process as well. If, if this had gone to site plan without being caught at zoning it's possible that they would have required it there as well but I might just hand it over to one of my colleagues at the UTRCA if that's alright.

- Councillor Cassidy: So we also have Mr MacKay on the line. Do you want me to go to him first Councillor Turner?

- Councillor Turner: I think both would be helpful. I read the UTRCA comments, they seem to support the rezoning but with the, with some specific conditions in there so I think the two of them would be very informative to my questions.

- Councillor Cassidy: So I will go to the Upper Thames River people first because Mr MacKay may not have heard the question and perhaps Mr MacKay can chime in when he hears the gist of the conversation. We may have to repeat the question for him but I'll go to Committee Room 1 and 2 where we have the Upper Thames River Conservation Authority people waiting.

- Stephanie Pratt, Land Use Planner, Upper Thames River Conservation Authority: Through you Madam Chair, in regards to your questions Councillor Turner regarding the OS5 and the setbacks, our minimum requirements for the natural hazard features are fifteen metres setback and from the natural heritage feature we require a minimum thirty metres setback. Because the lands have been cleared in advance of doing any of the appropriate studies that we would typically require through the process we have set those minimum requirements as thirty meters from the natural heritage feature so that isn't the greatest extent of what could be possible but given the fact that the features on the landscape have been altered we are not requiring a study moving forward.

Councillor Turner: So through you Madam Chair. Thank you for that. In our Natural Heritage Guidelines our buffer distances are thirty meters from an identified edge usually through an EIS so where, where the feature is hasn't been clearly delineated through an EIS. Would that not indicate a larger buffer requirement?

- Stephanie Pratt, Land Use Planner, Upper Thames River Conservation Authority: At this point in time we can't justify not doing that because we're not sure what the feature was on the landscape previously before it was cleared so it's hard to determine what that exact buffer would have been prior to that clearing and so that's why we placed the minimum thirty meters on the edge of the feature that we can see present today.

- Councillor Turner: Thank you. For Mr. MacKay I think the question here is that if there's a question of an environmental feature on the land and usage does that not necessitate an EIS and has one been done and has that been reviewed?

- James MacKay, Ecologist: Through you Madam Chair, sorry for the delay there. So in response to your question yes typically that is what is the standard procedures, you are required to do an EIS for that. This has been a complicated situation given that it was, the site was cleared, some years ago so we've been

working with the applicant and through the UTRCA with their Section 28 violation to try to come to a best outcome for both the applicant and for the City and the natural features on the adjacent property and for what potentially was there before. I believe in response to your earlier question about additional setbacks from the OS5 zone, the OS5 zone represents the total setback for the applicant so I believe there's a zero meter setback to the zone line in this particular case. Sonya can speak to that.

- Councillor Turner: Thank you. So my concern rests there. There typically would be an EIS associated with an application of this, this type especially if we're going to create and delineate an OS5 that tends to be a fairly high standard. I think the only question that remains for me, I do have concerns with that, I recognize there's been a fairly extensive involvement between Upper Thames's regulatory agency, staff and with the applicant to, to get to where we are. Fair enough. Are we satisfied that sufficient distancing measures are in place that will protect anything within the OS5, any of the natural features adjacent to or within the property from any of the activities that are being contemplated or could be allowed within the zoning recognizing the ECA will, will provide some parameters to that but that the ECA could be amended or changed or a new one could be applied for in the future.
- Sonia Wise, Senior Planner: Through you Madam Chair, so specifically with relation to the ECA that would have to occur on lands that are already zoned to permit the use so that would be only on the waste transfer portion of the site, that's the main reason that we wanted to go with the OS5 was that it properly delineated the part to be retained and preserved so we think that that strong protection for that restoration area and it will continue long term. The only thing that would change its nature would be another Zoning By-law Amendment application.
- Councillor Turner: I think that through you Madam Chair the final question to that is that it looks like stormwater management is something to be contemplated in the second planning phase that stormwater management as it would be designed could be sufficiently designed to provide run off protection to those features.
- Sonia Wise, Senior Planner: Yes Madam Chair I believe that's a correct statement. Stormwater management would be managed on site for this application and just to note that there would be an additional separate Environmental Compliance Approval for stormwater through the Ministry as well.
- Councillor Turner: Thank you.
- Councillor Cassidy: I see Councillor van Holst has had his hand up. Welcome to this Committee Councillor. We're still on technical questions.
- Councillor van Holst: Thank you Madam Chair and I was just going to ask a question through you to the applicant, perhaps they could just as we hear about natural features perhaps they could just describe the, the natural features that are on the site briefly.
- Councillor Cassidy: That's for you Mr. Da Silva. In the report though Councillor it talks about the natural features to a large degree had been removed which is why the Upper Thames Conservation Authority has, has been so deeply involved in this application but I'll go to Mr. Da Silva to describe what, what natural features are still on the property or perhaps which one, how you are looking to reinstall the natural features that had been removed.

- Mr. Da Silva: Okay, well, Stephanie, I think you can agree that's why we kind of had a lot of time and delays here, kind of why our consultants and assistants weren't agreeing with everybody and so on. I think I've kind of done my part with the buffer, more than what is probably needed, but I do agree with it and, and I'm happy with it and ultimately we still state that there is no natural features on our site. There was an unevaluated vegetation patch which I can state on, on record that, you know, within twenty-five years, when I was a kid about ten years old it was farmland right and yeah little trees and bushes and stuff through on the site. That was our main disagreement, I think, was that there was no natural features on our site and adjacent to our site they do believe that there is and that's why I created the buffer because beside our site there was an unconfined system built there back in 1989 and that's, I believe, the main natural feature that we're trying to protect here. If you can agree with me there Stephanie on that?

- Stephanie Pratt, Land Use Planner, Upper Thames River Conservation Authority: In the aerial imagery when we first received the application we noticed that there was some vegetation present on those lands that was identified in the City's mapping as unevaluated which typically triggers, as we mentioned, the EIS that moves forward so as we were out on site three times in the last, in the last year, we have been able to determine that there is still a watercourse feature present, it runs right adjacent to the property within one meter is the closest proximity and our natural hazard boundary falls within fifteen meters of that. Keeping the property regulated and then in addition on the adjacent lands there is a wetland, unevaluated wetland present and so because the site again was cleared we are unsure of the exact extent of what was previously but we can say there's competently natural heritage and natural hazard feature present within one meter of the subject lands.

- Councillor Cassidy: Councillor van Holst.

- Councillor van Holst: Thank you Madam Chair. If I can perhaps make some comments when technical questions are figured out, I'm, I'm happy with that answer.

- Councillor Cassidy: Thank you very much. I see a blue hand in the air and, oh, it's down now. Ok and I see the Mayor put his real hand up so go ahead Mr. Mayor.

- Mayor Holder: I could have both hands up as you prefer Chair but I have a question if I can Ms. Wise. I was surprised that just very late, as our meeting started, I received, perhaps all of the Committee received, a letter from some Planners, Zelinka Priamo, with respect to questions regarding this particular application and I wonder if Ms. Wise might have some, some comments on that a little better presuming that to be that she's received it and it wasn't that long ago that I received it as well.

- Councillor Cassidy: Who is the letter from Your Worhsip?

- Mayor Holder: Zelinka Priamo Ltd.

- Councillor Cassidy: And when did the letter come in?

- Mayor Holder: I think it was sent in around 4:30 PM today, so just before 4:00 or ust around 4:00, pardon me. Around the time our meeting started Chair.

- Councillor Cassidy: Ms. Wise have you seen this letter?

- Sonia Wise, Senior Planner: Yes Madam Chair I have reviewed it.
- Mayor Holder: I just wonder if you have any comments because I think as we look to, look to make our evaluation as well, I think those are, those are big questions that or issues that they have brought forward and that's why I think you're input would be really helpful to us as a Committee if you would Ms. Wise, please.
- Councillor Cassidy: Do you have any comment on this letter Ms. Wise?
- Sonia Wise, Senior Planner: Madam Chair I believe the letter stated some concerns in terms of the general operation of the site. I believe in the preamble or one of the first paragraphs it did state that it wasn't necessarily a concern of the land use itself on site but there were concerns raised with things like the stormwater management, the operation and the use of the holding provision. We have had the opportunity to review the letter and actually we knew it was coming a little bit ahead of time so it allowed us to do a little bit more review in terms of whether or not a holding provision is required for this site. We determined that it was and that is a recommendation that you have before you now. The stormwater management we are comfortable in terms of its it being addressed through both site plan and through the separate ECA process with the Ministry and in terms of the general review we've based this on the use, the intensity, the form, the compatibility, the environmental impacts, all of the Official Plan and The London Plan criteria for appropriate location and separation of these types of intensive uses and do believe that this is an appropriate use for the site in the context and is taking appropriate measures to ensure compatibility and sympathetic integration.
- Mayor Holder: So Chair, through you and I actually will echo again Councillor Turner, that we spent a fair amount of time on this because I think it is important that we get it right. I would like to be a little more pointed because for the benefit of those who haven't seen this and you indicate that you've saw this perhaps as have some others but you're correct that, that what is said in this note is that the rezoning to allow waste transfer and recycling is not opposed but there was concern and I would like you to comment, if you can, that it be done in a manner that incorporates the environmental protections that the City has insisted upon in other similar waste handling projects to suggest somehow though that there's a difference between the environmental protections required by this application versus the others, is that a is that a fair comment by the by the letter writer?
- Michael Tomazincic, Manager, Current Planning: Madam Chair this is Michael Tomazincic here. It's hard for me to answer that question because there aren't very many specifics provided, there's no addresses provided, there's no addresses of who Mr. Zelinka is representing. I, I noticed there's names of firms but I'm not sure where they're located and I can't comment on the processes that they went through so a little bit more background would have been helpful to answer that question. I, I can't say as, as Ms. Wise indicated we have done some additional research after receiving this letter including some discussions with Mr Stanford and he's happy with the holding provision that's going to be applied to the site. We are confident that through the site plan process and, and through that, the Certificate of Approval process at the site workings operations can address the other matters raised in this letter and that as a uses it's an appropriate location for, for the subject site.
- Mayor Holder: Just again, Chair, just to be clear and I'm not here to challenge, we've got great staff that do tremendous work but I mean the names of the companies that are represented by Zelinka Priamo are right in the very first

line of the letter and they're all companies that we deal with so I mean they manage waste in the City of London so I don't think these are not credible organizations and I think they've expressed some pretty specific things. I just want to set the record straight that we all know who these players are and they're all based here in London and all work in waste recycling that's, I just, I'm not to challenge our staff but just to, just to bring clarity to that point Chair.

- Councillor Cassidy: Okay.
- Mayor Holder. I have no more technical questions at this stage at all and I think our comments can be done in general.
- Councillor Cassidy: Do, are there are there any other technical questions? I'm not seeing any. I'm going to see and I can't remember it's been so long if I asked if there were members of the public that were here, I believe I did, but I'll ask again. Are there any members of the public that would like to comment on this application in those two Committee Rooms? I'm not seeing any members of the public come forward. Mr Da Silva use you spoke to Committee and you had a chance to answer questions so we're passed the technical question phase and we're actually going to close the public participation meeting now if I have a motion to do so.