

7TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on March 19, 2013, commencing at 4:08 PM, in the Council Chambers, Second Floor, London City Hall.

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

ABSENT: Councillor P. Hubert.

ALSO PRESENT: Mayor J.F. Fontana, M. Corby, B. Debbert, M. Elmadhoon, J.M. Fleming, T. Grawey, B. Henry, P. Kokkoros, G. Kotsifas, A. Macpherson, A. MacLean, D. Mounteer, J. Page, J. Ramsay, A. Riley, C. Saunders, R. Sharpe, and J. Yanchula.

I. DISCLOSURES OF PECUNIARY INTEREST

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

II. CONSENT ITEMS

2. 1st Report of the Agricultural Advisory Committee

Recommendation: That the 1st Report of the Agricultural Advisory Committee from its meeting held on February 20, 2013 **BE RECEIVED**.

3. 3rd Report of the Environmental and Ecological Planning Advisory Committee

Recommendation: That the 3rd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on February 21, 2013 **BE RECEIVED**.

4. 2nd Report of the Trees and Forests Advisory Committee

Recommendation: That the 2nd Report of the Trees and Forests Advisory Committee from its meeting held on February 27, 2013 **BE RECEIVED**.

5. 3rd Report of the Advisory Committee on Environment

Recommendation: That the 3rd Report of the Advisory Committee on the Environment from its meeting held on March 6, 2013 **BE RECEIVED**.

6. North Lambeth Estates Subdivision - Phase 3 (39T-00510-3)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and North Lambeth Inc. for the subdivisions of land over Part of Lot 74, west of the North Branch of Colonel Talbot Road, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the west side of Colonel Talbot Road and the south side of Clayton Walk:

- a) the attached Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and North Lambeth Inc. for the North Lambeth Estates Subdivisions, Phase 3 (39T-00510-3), **BE APPROVED**;
- b) the Mayor and the City Clerk **BE AUTHORIZED** to execute the Agreement referred to in part a), above, any amending agreements and all documents required to fulfill its conditions; and,
- c) the financing for this project **BE APPROVED** in accordance with the "Related Costs and Revenues" provided as Schedule "B" to the associated staff report, dated March 19, 2013. (2013-D12)

7. Properties located at 613 to 629 First Street and 1461 to 1465 Oxford Street East (H-8127)

Recommendation: That, on the recommendation of the Senior Planner, Development Services, based on the application by Adamas Group Inc., relating to the properties located at 613 to 629 First Street and 1461 to 1465 Oxford Street East, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 26, 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 R10 (h-88*R10-1*H40) Zone **TO** a Residential R10 (R10-1*H40) Zone, to remove the holding provision. (2013-D14A)

8. Review of Holding Provision Requirements in Zoning By-law No. Z.-1

Recommendation: That, the following actions be taken with respect to the Civic Administration's review of site specific requirements for Holding Provisions in Zoning By-law No. Z.-1:

- a) the Civic Administration **BE DIRECTED** to prepare an amendment to Zoning By-law No. Z.-1 to implement requirements for the "h" holding provision under the "General Provisions" Section of Zoning By-law Z.-1; and,
- b) the Civic Administration **BE DIRECTED** to make the necessary arrangements to hold a public participation meeting at a future meeting of the Planning and Environment Committee with respect to the amendment noted in part a), above. (2013-C01)

9. Building Division Monthly Report for January 2013

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

III. SCHEDULED ITEMS

10. Zoning By-law No. Z.-1 Text Amendments (Z-7992)

Recommendation: That, on the recommendation of the Senior Planner, Development Planning, based on the application by the City of London, relating to technical amendments to the Z.-1 Zoning By-law text, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 26, 2013 to amend Zoning By-law No. Z-1 by **REPLACING** the existing Schedule A and Schedule B Indexes and the 221 "Key Maps" with new Schedule A and Schedule B Indexes and 21 "Key Maps"; it being noted that this would bring the Z-1 Zoning By-law text into alignment with the City's current digital mapping system; it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-C01)

11. Property located at 1815 Dundas Street (Z-8135)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Color Company Decorating Centres, relating to the property located at 1815 Dundas Street, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 26, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property **FROM** an Associated Shopping Area Commercial (ASA1) Zone, which permits a range of retail, convenience, personal service uses **TO** an Associated Shopping Area Commercial (ASA1/ASA3) Zone, to add a limited range of office uses on the subject site; 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 9345 Elviage Drive

Recommendation: That the following actions be taken with respect to the property located at 9345 Elviage Drive:

- a) the report of the Managing Director, Planning and City Planner, dated March 19, 2013 in response to a delegation by M. Doornbosch on behalf of Kaizen Homes regarding lands at 9345 Elviage Road, **BE RECEIVED**; and,
- b) Kaizen Homes **BE ADVISED** that if they wish to proceed with this matter related to the property located at 9345 Elviage Road, that they should submit the appropriate application for processing and consideration in accordance with the regulations contained in the *Planning Act*, R.S.O. 1990, c.P.13;

it being noted that the Planning and Environment Committee received a delegation from M. Doornbosch, Zelinka Priamo Ltd. regarding this matter. (2013-D14A)

13. Properties located at 1311, 1363 and 1451 Wharnccliffe Road South (OZ-8087)

Recommendation: That, the application of Sifton Properties Limited, relating to the properties located at 1311, 1363 and 1451 Wharnccliffe Road South, **BE REFERRED** back to the Manager of Development Services and Planning Liaison and the City Solicitor for further consideration and to report back at a future meeting of the Planning and Environment Committee;

it being noted that the Planning and Environment Committee reviewed and received the following communications, with respect to this matter:

- a communication, dated March 14, 2013, from J.W. Harbell, Stikeman Elliott;
- a communication, dated March 15, 2013, from A. Soufan, President, York Developments;
- a Municipal Council resolution adopted at its meeting held on October 30, 2012;
- the attached revised by-law pages (replacing pages 152, 153 and 154 of the March 19, 2013 Planning and Environment Committee Agenda) from the Manager, Development Services & Planning Liaison; and,
- the attached communication, dated March 18, 2013, from S.A. Zakem, Aird Berlis;

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

- M. Zunti, Sifton Properties Limited – expressing support for the Civic Administration's recommendations in the March 19, 2013 Planning and Environment Committee Agenda; and advising that Sifton Properties Limited representatives have met with the Civic Administration and understand that this is a separate application from the South West Area Plan.
- S. Zakem, Aird Berlis, on behalf of Sifton Properties Limited - expressing support for the Civic Administration's recommendations in the March 19, 2013 Planning and Environment Committee Agenda; expressing concern with the process; noting that 19 appeals were received for the South West Area Plan; indicating that part a) of the recommendation in the Civic Administration's report, dated March 19, 2013, deals with reconsideration; noting that Councillors do not want to deal with matters that they have previously dealt with in the past; advising that the zoning of the Sifton Properties Limited lands did not change in the South West Area Plan; noting that the Municipal Council confirmed the existing land use; indicating that if the Planning and Environment Committee and the Municipal Council wish to approve the Civic Administration's recommendation, attachment a) to the original Civic Administration's report is the way to go, not the revised pages that were handed out at the

meeting; advising that once an application is deemed to be complete, the applicant's planners need to know what their rights are; indicating that the revised pages would have the Municipal Council amending the South West Area Plan which would have the application going to the Ontario Municipal Board; requesting that the Civic Administration amend the Official Plan and ask the Civic Administration to be consistent with the amendment; advising that this application may be appealed; indicating that in part c) of the Civic Administrations recommendation, the Civic Administration requests that the Zoning By-law be passed at the next Council meeting; noting that this is not necessary; requesting that the Zoning By-law be adopted at the same time if the Planning and Environment Committee agrees with him; noting that the Zoning By-law cannot proceed ahead of the Official Plan; advising that the Sifton Properties Limited application was completed in August, 2012; advising that pre-consultation was done in 2010; and, indicating that they are not sneaking in at the last minute.

- D. Wood, Wood Bull, LLP, on behalf of Greenhills SC Ltd. – see attached submission.
- A.R. Patton, Patton Cormier & Associates, on behalf of the Southside Group of Companies – see attached submission.
- Vicki Blackwell, 3255 Morgan Avenue – advising that this has not been a transparent process; noting the amendments to the amendments that were provided at the meeting; advising that the area does not need a Wal-Mart or a Lowe's; indicating that she lived in White Oaks, backing onto a commercial development, and moved for a reason; noting that they purchased this property because they were advised that it would remain residential; indicating that only four or five houses on her street received the notice; and indicating that they received a notice of the public participation meeting on February 25, 2013, prior to the closing of the request for public comments.
- Ali Soufan, President, York Developments – advising that York Developments submitted an application for a property located on the Wonderland Corridor prior to the Sifton Properties Limited application; advising that they have been working with the Civic Administration on this application since 2010; indicating that they are staying within existing policies; advising that hearing that someone does not wish to be in the South West Area Plan process is fancy footwork; advising that all the developers went through a rigorous process to establish the community plan; and, advising that reconsideration will skewer the community plan.
- Natercia Demelo, 3220 Morgan Avenue – indicating that she was advised that this would be a quiet area; advising that she is seeing a busier area; indicating that there are a lot of young families residing on Morgan Avenue; indicating that people will be using Morgan Avenue if a Wal-Mart or Lowe's is built; advising that there are no more than 200 homes in this area; indicating that she has been advised that there will be condominiums built in the area; and advising that this is the smallest area of homes in London, but they need a Wal-Mart and Lowe's; indicating that there will be an increase in the number of accidents; and advising that this is not fair to area residents. (2013-D14A)

IV. ITEMS FOR DIRECTION

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

14. Enquiry – Property located at Huron Street and Adelaide Street North

That, the Managing Director, Planning and City Planner **BE REQUESTED** to report back, prior to the commencement of the Ontario Municipal Board hearing, on the latest plan for the application of 2261531 Ontario Limited, relating to the property located at 1103 Adelaide Street North; it being noted that the Planning and Environment Committee (PEC) received an enquiry from Councillor N. Branscombe with respect to this matter.

VII. ADJOURNMENT

The meeting adjourned at 6:44 p.m.