

18TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on August 20, 2013, commencing at 4:04 PM, in the Council Chambers, Second Floor, London City Hall.

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

ALSO PRESENT: Mayor J.F. Fontana, Councillors J.L. Baechler, M. Brown, J.P. Bryant and H.L. Usher, G. Barrett, A. Brea-Watson, M. Corby, M. Davis, J.M. Fleming, I. Gibb, T. Grawey, B. Henry, M. Johnson, T. Karidas, P. Kokkoros, G. Kotsifas, E. Lalande, I. Listar, A. MacLean, A. Macpherson, D. MacRae, J. Page, C. Saunders, R. Sharpe, M. Tomazincic, J. Yanchula.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That it BE NOTED that Councillor W.J. Polhill disclosed a pecuniary interest in clause 16 of this report, having to do with the application by the City of London, relating to the Veterans Memorial Parkway, by indicating that he lives in the area.

That it BE NOTED that Councillor N. Branscombe disclosed a pecuniary interest in clause 16 of this report, having to do with the application by the City of London, relating to the Veterans Memorial Parkway, by indicating that her spouse owns property in the Oxford Street/Veterans Memorial Parkway area.

II. CONSENT ITEMS

2. Properties located at 3700 Colonel Talbot Road and 3645 Bostwick Road (O-7609)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board, relating to By-law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541, the Southwest Area Secondary Plan, the Ontario Municipal Board BE REQUESTED to amend Schedules 2, 4, 6, 8, 9 and 12 of the Southwest Area Secondary Plan - Conceptual Road Network and Appendix 1 – Proposed Schedule “A” amendment to the Official Plan, as it applies to the W3 Lambeth Farms property, to:

- a) modify the open space configuration on the W3 Lambeth Farms property on all the identified Schedules, Conceptual Plan and proposed Official Plan Schedule “A” amendment;
- b) apply a Low Density Residential land use in place of the Open Space land use on all the identified Schedules and proposed Official Plan Schedule “A” amendment;
- c) modify the location of the proposed neighbourhood park from the northwest corner of Bostwick Road and proposed Kilbourne Road extension to the W3 Lambeth Farms property on all the identified Schedules; and,
- d) modify Schedule 2, to shift the Multi-use Pathway Planned Route to the east, so that it forms part of the open space pathway connection. (2013-L01)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

3. Property located at 260 Sarnia Road (Z-8075)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the report dated August 20, 2013, relating to the decision by the Ontario Municipal Board, concerning the appeal by Ayman Shana'a Holdings Inc., with respect to an amendment to the Zoning By-law No. Z.-1, a Municipal Council decision relating to the property located at 260 Sarnia Road BE RECEIVED. (2013-D14A)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

4. Properties located at 3130 and 3260 Dingman Drive and the rear portion of 4397/4407 Wellington Road South (OZ-8120)

Recommendation: That, on the direction of Municipal Council, in recognition of the circumstance where these lands have been previously zoned and designated to permit a range of commercial uses, and that an "Unevaluated Vegetation Patch" (Patch 10102) as identified on Schedule "B-1" of the Official Plan is located on a portion of these lands, the following actions be taken with respect to the application of PenEquity Realty Corporation, relating to the property located at 3130 and 3260 Dingman Drive and the rear portion of 4397 and 4407 Wellington Road South:

- a) the attached proposed by-law, BE INTRODUCED at the Municipal Council meeting to be held on August 27, 2013, to amend the Official Plan as follows:
 - i) by adding a special policy in Chapter 10 – "Policies for Specific Areas" to permit cinema use outside of the downtown area in the New Format Regional Commercial Node; and,
 - ii) by amending Schedule B-1- Natural Heritage Features, to delete "Unevaluated Vegetation Patch";
- b) the attached, revised, proposed BE INTRODUCED at the Municipal Council meeting to be held on August 27, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a), above), FROM a Holding Restricted Service Commercial Special Provision/Light Industrial (h*RSC1(9)/RSC5/LI6) Zone, a Holding Restricted Service Commercial Special Provision (h*RSC1(9)/RSC3/RSC4(5)/RSC5) Zone, which permits a wide range of service commercial uses such as automobile services, home and auto supply, service repair and light industrial uses and a Community Shopping Area (CSA6), which allows for a large range of commercial uses TO a Holding Associated Shopping Area Commercial Special Provision (h*h-5*h-18*h-55*h-103*h-141*h___*h___*h___*ASA3/ASA5/ASA6(__)/ASA7(__)/ASA8(__)) Zone, to allow for commercial retail use, 14,000m² of commercial recreational use, 4,000m² cinema use, a gas bar use, a hotel use, home improvement and furnishing stores, and liquor, beer and wine stores subject to holding provisions to ensure the provision of municipal servicing, archaeological evaluation be completed, a transportation study be completed, Ministry of Transportation and Upper Thames River Conservation Authority permits be obtained, an Ontario Wetland evaluation to be completed to the satisfaction of the Ministry of Natural Resources, urban design matters be addressed, and a natural heritage compensation agreement between the City and the applicant be entered into to address the natural heritage compensation measures to be implemented resulting from the removal of the Unevaluated Vegetation Patch (Patch 10102);"

- c) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
- ensure a high level of architectural and landscape quality on all portions of the site with visual exposure to Highway 401;
 - ensure that the design of the buildings located along Highway 401 and Dingman Drive are of a high design standard and do not appear as “the back of house”;
 - screen all parking areas visible from Highway 401 as well as Dingman Drive using enhanced landscaping;
 - create a block pattern on the site in order to allow for future redevelopment;
 - create a high quality main street through the centre of the site that includes:
 - on-street parking;
 - wide sidewalks;
 - street trees;
 - landscaping as well as street furniture (i.e.: lamp posts, signage, benches, garbage bins, etc.);
 - improved pedestrian experience and access throughout the site;
 - locate buildings along the main street that are oriented towards the street with accented main pedestrian entry points, transparent glass, articulated facades and rooflines, in order to create an active frontage;
 - include a key building at the view terminus of the proposed main street (e.g., proposed movie theatre);
 - provision of a variety of high quality materials (such as transparent glass, brick, stone, etc.) on all proposed buildings, in particular the elevations facing Highway 401, Dingman Drive and the mainstreet;
 - create a centralized public space, located along the main street;
 - provide for continuous pedestrian connections through the site;
 - ensure all buildings have a walkway to the proposed on site main street commercial corridor as well as continuous walkways connecting to other buildings on the site;
 - include adequately sized landscape islands to break up large surface parking areas, these landscape islands should include trees as well as enhanced landscaping;
 - submit an updated urban design brief to the Urban Design Review Panel for a more comprehensive review of the final proposal through the site plan process; and,
 - plant three trees for every tree removed, at a location of the applicant’s choice, on the property;
- d) the request to amend Zoning By-law No. Z.-1 from a Holding Restricted Service Commercial Special Provision/Light Industrial (h*RSC1(9)/RSC5/LI6) Zone, a Holding Restricted Service Commercial Special Provision (h*RSC1(9)/RSC3/RSC4(5)/RSC5) Zone, which permits a wide range of service commercial uses such as automobile services, home and auto supply, service repair and light industrial uses and a Commercial Shopping Area (CSA6) Zone, which allows for a large range of commercial uses to an Associated Shopping Area Commercial Special Provision (ASA3/ASA5/ASA6(_)/ASA7(_)/ASA8) Zone and an Open Space (OS1) Zone, to allow for 50,183m² of commercial retail use, 13,564m² of commercial recreational use, 3,921m² cinema use, a gas bar use and a passive recreational use, BE REFUSED for the following reasons:
- i) the requested amendment does not include the holding provisions to ensure the orderly development of the site; a permit from the Upper Thames River Conservation Authority; and the Ministry of Natural Resources being satisfied that the wetland is not considered a Provincially Significant Wetland; and,
 - ii) the requested amendment does not include the additional uses as recommended by the Municipal Council;

- e) the Civic Administration BE DIRECTED to determine if there are similar instances where “Unevaluated Vegetation Patches” on Schedule “B-1” of the Official Plan are not shown as “Open Space” or “Environmental Review” on Schedule “A” of the Official Plan, and to initiate an Official Plan Amendment to show these lands as “Open Space” or “Environmental Review” on Schedule “A” of the Official Plan, noting that this would then make these lands subject to the City’s Tree Conservation By-law (By-Law C.P.-1466-249);
- f) the Civic Administration BE DIRECTED to work with the Applicant to develop the Natural Heritage Compensation Agreement required by the h() holding provision for Municipal Council approval that reflects the natural heritage value of the natural heritage feature to be removed, and is consistent with the compensation achieved through the Sovereign Woods resolution, it being noted that the Natural Heritage Compensation Agreement may include both natural heritage lands and lands that may be planted; and,
- g) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the by-law is consistent with the request of the applicant, is consistent with what was circulated to the public and the changes are minor in nature;

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

- a communication from G. Faul, Lambeth Community Association;
- a communication from J. Cuthbert, by e-mail;
- a communication from C. Richardson, by e-mail;
- a communication, dated August 11, 2013, from G. Smith, President, Friends of Meadowlily Woods Community Association;
- a communication, dated August 7, 2013, from K.E. Risler, 5-192 Elmwood Avenue;
- a communication, dated August 12, 2013, from D. Johnston, President and CEO, PenEquity Realty Corporation;
- a communication, dated August 14, 2013, from K. Lakhota, General Manager, London Economic Development Corporation;
- a communication, dated July 25, 2013, from C. Creighton, Land Use Planner, Upper Thames River Conservation Authority;
- a communication, dated August 16, 2013, from J. Brick, Coordinator, Hydrology and Regulatory Services, Upper Thames River Conservation Authority; and,
- a communication, dated August 15, 2013, from D. Johnston, President and CEO, PenEquity Realty Corporation. (2013-D14A)

Voting Record:

Motion to approve part a) ii).

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, S.E. White (4)

NAYS: N. Branscombe, P. Hubert (2)

Motion to approve part b) with two additional holding provisions, a permit to be obtained from the Upper Thames River Conservation Authority and an Ontario Wetland evaluation to be completed to the satisfaction of the Ministry of Natural Resources.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, P. Hubert, B. Polhill, S.E. White (6)

Motion to approve part c), part d), as amended, to delete the reasons for refusal and add new reasons and parts e) to g), inclusive.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, P. Hubert, B. Polhill, S.E. White (6)

Motion to approve part a) i).

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, P. Hubert, B. Polhill, S.E. White (5)

NAYS: N. Branscombe (1)

Motion to Approve clause 4, as amended.

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, B. Polhill, S.E. White (4)

NAYS: N. Branscombe, Paul Hubert (2)

5. Blackfriars/Petersville Heritage Conservation Study Area

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board dated July 5, 2013, submitted by Patton Cormier & Associates, on behalf of JLC Homes Ltd., relating to By-Law L.S.P. 3471-177, as it relates to 186 Wharnccliffe Road North, the following actions be taken:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it; and,
- b) the City Solicitor BE REQUESTED to represent the Municipal Council's interests in these matters and retain outside expert witnesses in support of the Municipal Council's position;

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

- a communication dated August 15, 2013, from J. Biviano, 143 Central Avenue;
- a communication dated August 16, 2013, from C. Horley and K. Norman, by e-mail; and,
- a communication dated August 14, 2013, from D. Horley, by e-mail. (2013-L01)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

6. Property located at 699 Wonderland Road North (H-8212)

Recommendation: That, on the recommendation of the Manager, Development Services and Planning Liaison, based on the application of ESAM Construction Limited, relating to the property located at 699 Wonderland Road North, the proposed by-law, as appended to the staff report dated August 20, 2013, BE INTRODUCED at the Municipal Council meeting to be held on August 27, 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 Associated Shopping Area Commercial (h-25*ASA3/ASA4/ASA8) Zone TO an Associated Shopping

Area Commercial (ASA3/ASA4/ASA8) Zone to remove the holding “h-25” provision. (2013-D14B)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

7. Building Division Monthly Report for June 2013

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

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

III. SCHEDULED ITEMS

8. 8th Report of the Environmental and Ecological Planning Advisory Committee

Recommendation: That, the following actions be taken with respect to the 8th Report of the Environmental and Ecological Planning Advisory Committee (EEPAC) from its meeting held on July 18, 2013:

- a) the warranty on trees for the Gore Road Class EA BE EXTENDED to two years, as per City of London policy (recommendation #17);
- b) Mr. C. Haines, Project Manager, Dillon Consulting, BE ADVISED that the Environmental and Ecological Planning Advisory Committee (EEPAC) expressed its appreciation to him for responding to the EEPAC comments relating to the Gore Road Class EA;
- c) the Civic Administration BE REQUESTED to provide the following information with respect to the twelve invasive species included in the Street Tree Guideline document the number and percentage of total street tree plantings in each of the years 2010, 2011 and 2012;
- d) the Civic Administration BE REQUESTED to provide a qualitative impact assessment of the effects of the 12 approved street tree invasive species on the Environmentally Significant Areas currently being inventoried; it being noted that the ESA's being inventoried are Medway, Meadowlily, the Coves and Westminster Ponds; and,
- e) that clauses 4 to 14, inclusive, of the 8th Report of the Environmental and Ecological Planning Advisory Committee BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation and received the attached excerpt from the City of London Approved Street Tree List from D. Sheppard, Chair, EEPAC, with respect to these matters.

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

9. 7th Report of the Advisory Committee on the Environment

Recommendation: That, the following actions be taken with respect to the 7th Report of the Advisory Committee on the Environment (ACE) from its meeting held on July 17, 2013:

- a) the following actions be taken with respect to a Property Assessment for Clean Energy (PACE) program:
 - i) the Civic Administration BE REQUESTED to consider the inclusion of policies to promote sustainability and sustainability programs in ReThink London OPA review; it being noted that the ACE will provide ReThink London, a report with respect to proposed sustainability policies and programs; and,
 - ii) the Civic Administration BE REQUESTED to consider a PACE program as part of their participation in the Collaboration on Home Energy Efficient Retrofits in Ontario (CHEERIO) initiative; and,
- b) that clauses 2 to 6, inclusive, of the 7th Report of the ACE BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from J. Howell, Vice Chair, with respect to these matters.

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

10. Properties located at 407 McMahan Street and portions of 652, 654 and 656 Elizabeth Street (Z-8182)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the City of London, relating to the property located at 407 McMahan Street and portions of the properties located at 652, 654 and 656 Elizabeth Street, the proposed by-law, as appended to the staff report dated August 20, 2013, BE INTRODUCED at the Municipal Council meeting to be held on August 27, 2013 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject properties FROM a Residential R2 Special Provision (R2-1(10)) Zone, which permits single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings; a Holding Residential R5/Residential R9 Special Provision (h-5•R5-3/R9-7(6)•H20) Zone, which permits townhouses, apartment buildings, lodging houses and continuum-of-care facilities up to a maximum height of 20m; a Residential R10 (R10-1•H36) Zone, which permits townhouses, apartment buildings, lodging houses and continuum-of-care facilities up to a maximum height of 36m; and a Holding Residential R5 (h-5•R5-4) Zone, which permits townhouse dwellings TO a Community Facility Special Provision (CF2(1)) Zone, which permits public recreational buildings, public swimming pools, studios, community centres, day care centres, convenience stores and eat-in restaurants;

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

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

11. Property located at 432 Grey Street (Z-8200)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the City of London zoning review, relating to the property located at 432 Grey Street:

- a) the attached proposed by-law, BE INTRODUCED at the Municipal Council meeting to be held on August 27, 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 Residential R3 (R3-1) Zone, which permits single detached, semi-detached, duplex, triplex, fourplex and converted dwellings TO a Neighbourhood Facility Special Provision (NF()) Zone, to permit churches, elementary schools and community centres with special provisions for lot frontage, interior side yards and parking;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - i) the ability of the site to accommodate access to the rear and interior side yards;
 - ii) the feasibility of accommodating front yard parking; and,
 - iii) the ability to meet landscaped open space requirements;

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

- Reverend Delta McNeish, Beth Emmanuel Church – expressing appreciation to the City for taking care of the archaeological process that is almost completed; advising that the items that have been found at 275 Thames Street are now being cleaned; and indicating that they have sent a letter to the City to get some direction on what they need to do to move the project forward in terms of zoning and planning. (2013-D14A)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

12. Property located at 275 Callaway Road

Recommendation: That, on the recommendation of the Manager of Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application by Richmond Village (London) Inc., relating to the property located at 275 Callaway Road:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for site plan approval; and,
- b) the Approval Authority BE ADVISED that the Municipal Council supports the site plan application for the residential development. (2013-D11)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S. White (6)

13. City-Wide Day Care Centres in Schools (Z-8211)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the City of London, relating to Zoning By-law No. Z.-1, the proposed by-law as appended to the staff report dated August 20, 2013, BE INTRODUCED at the Municipal Council meeting to be held on August 27, 2013 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to revise the definitions of “Elementary School” and “Secondary School” provided in Section 2 Definitions of By-law Z.-1 to include “Day Care Centre” as a permitted accessory use, to add “Day Care Centre” to the list of permitted uses in the Neighbourhood Facility (NF) Zone and to remove “Day Care Centre” from the list of permitted uses in the Neighbourhood Facility (NF1) Zone variation;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated August 12, 2013, from C. Creighton, Land Use Planner, Upper Thames River Conservation Authority, with respect to this matter;

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

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

14. Property located at 1166 Hamilton Road

Recommendation: That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application for an apartment building by JLC Homes Ltd., relating to the property located at 1166 Hamilton Road:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for site plan approval; and,
- b) the Approval Authority BE ADVISED that the Municipal Council supports the site plan application for a four storey apartment building with 23 units. (2013-D11)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

15. Veterans Memorial Parkway South Extension (OZ-8195)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London, relating to amendments to the City's Official Plan and Zoning By-law for the Veterans Memorial Parkway South Extension:

- a) the proposed by-law, as appended to the staff report dated August 20, 2013, BE INTRODUCED at the Municipal Council meeting to be held on August 27, 2013, to amend Schedule “C” Transportation Corridors, of the Official Plan to add “Freeway” to an extension of the Veterans Memorial Parkway from Highway 401 to Wilton Grove Road to implement the recommendations of the Veterans Memorial Parkway Extension and Highway 401 Interchange Improvements Transportation Environmental Study Report (TESR); and,

- b) the proposed by-law, as appended to the staff report dated August 20, 2013, BE INTRODUCED at the Municipal Council meeting to be held on August 27, 2013, to amend Section 4.21 Road Allowance Requirements – Specific Roads of Zoning By-law Z.-1, (in conformity with the Official Plan as amended in part a), above), to add Veterans Memorial Parkway as a “Freeway” with a 30m limit of allowance (measured from the centerline) in Section 4.21 Road Allowance Requirements – Specific Roads of the Z.-1 Zoning By-law;

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

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

16. Veterans Memorial Parkway (Z-8194)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the City of London for amendments to the City’s Zoning By-law for the Veterans Memorial Parkway, the following actions be taken:

- a) the proposed by-law, as appended to the staff report dated August 20, 2013, BE INTRODUCED at the Municipal Council meeting to be held on August 27, 2013, to amend Section 4.21 Road Allowance Requirements – Specific Roads of Zoning By-law Z.-1, (in conformity with the Official Plan), to add, amend, delete various streets in Section 4.21 Road Allowance Requirements – Specific Roads of Z.-1 Zoning By-law; and,
- b) the Civic Administration BE DIRECTED to report back on how to address the portion of the secondary collector identified through the auto mall property, north to Cuddy Court;

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

- Terry McSpadden, 2257 Trafalgar Street – indicating that this has been the family home since 1955 when it was built; advising that it is the first home to the west of Veterans Memorial Parkway (VMP), on the south side of Trafalgar Street, on the north side of the 3M office building; advising that he understands that the engineering detail is not complete or barely started on the proposed fly over, Trafalgar Street over the VMP for that intersection and that will quite profoundly affect their outlook from the front of their home; expressing concern with noise; advising that when the home was built in 1955, Trafalgar Street was a gravel road and it was a country setting; noting that there was nothing in that area at all but as the city has grown and annexations have occurred, the home is in a situation now far different from when it was built; expressing concern that, now that the VMP has gone from an expressway to a freeway, from the original Highway 100, which was basically a country road, to one of noise; noting that the noise, especially through the evening, is incredibly loud, particularly in motorcycle season; realizing that there has been a lot of discussion about berming along the VMP for the people that live between Trafalgar Street and Admiral Drive; noting that they already have a berm that is probably 15 feet high; further noting that they have nothing; advising that it is so loud at times that they have to stop talking if they are in their backyard; expressing concern with egress from the property; noting that they have no details on this yet as to what might happen and they are often told that this is a 30 to 50 year plan but it seems as if things are moving along much more quickly than anticipated; noting that they are hoping to be kept advised of the process as it goes along; advising that they have been in contact with the Planner; advising that they see their concerns as a diminishment of their family property which is of importance to them because their plans took into account the

increasing value of their property and perhaps different uses in the future; advising that, as the city has progressed and enveloped them, the options that they had anticipated some time ago seem to be disappearing; advising that what they would like to do is to continue their conversations with the Planner to see if there is some relief that they can obtain through rezoning or subdivision of their lands, as they own over half an acre of property; expressing appreciation to the Committee for the opportunity to express his concerns; indicating that they are very happy with the roundabout that was installed at Hale Street and Trafalgar Street; advising that the homes on the northeast quadrant of the roundabout have a concrete wall in front of them that is probably 50 to 100 feet in front of their homes and is a barrier which prevents them from having outlook from their property; indicating that, in their case, between a piece of their land being taken away for a right turn lane onto the VMP and the city boundary being 15 to 20 feet in front of their front porch, they anticipate a wall, if you look at where the fly over has to start and where it has to go to, that will meet or exceed the height of the homes at Hale Street and Trafalgar Street; and indicating that they are really concerned at their retirement age on the impact on their retirement resources.

- Michelle Doornbosch, Zelinka Priamo Limited – advising that the plan before the Committee shows the addition of a secondary collector that cuts through the recently approved auto mall, in the subdivision plan that has been approved; advising that three of the dealerships are under construction; indicating that the design of the subdivision does not allow for that collector road to go through; indicating that they are going on record advising that that is a concern and there is no opportunity to connect that road through the subdivision; and noting that it would have to be located further west of the subdivision lands. (2013-D14A)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, D.G. Henderson, P. Hubert, S.E. White (4)

RECUSED: N. Branscombe, B. Polhill (2)

17. Property located at 982 Gainsborough Road (Z-8178)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Highland Communities Ltd., relating to the property located at 982 Gainsborough Road:

- a) the proposed by-law, as appended to the staff report dated August 20, 2013, BE INTRODUCED at the Municipal Council meeting to be held on August 27, 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 Holding Business District Commercial (h-17*BDC1/BDC2) Zone, which provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented business districts in older parts of the City and an Urban Reserve (UR3) Zone which permits existing dwellings, agricultural uses (except for mushroom farms, commercial greenhouses livestock facilities and manure storage facilities), conservation lands, managed woodlot, wayside pit, passive recreation use, kennels, private outdoor recreation clubs, riding stables and a Holding Urban Reserve (h-2*UR3) Zone, which permits the same range of uses as the UR3 zone subject to a holding provision which requires the submission of an Environmental Impact Study or Subject Lands Status Report to determine the extent to which development may be permitted TO a Holding Business District Commercial (h-11*h-17*BDC1/BDC2) Zone and a Holding Residential R9 Special Provision (h-5*h-11*h-17*R9-7(_)*H50) Zone, to permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings and continuum-of-care facilities up to a maximum height of 50m (15 storeys) and a density of 150 units per hectare; a special provision is recommended to allow for the reduction of the easterly side yard to 12m and a maximum projection into

the required yard for apartment balconies to a maximum of 3m; the use of three holding provisions is required in order to ensure that access and sanitary servicing concerns are addressed before the development of the site and that the site plan will be reviewed through a public process;

- b) the Site Plan Approval Authority, BE REQUESTED to address the following items through the site plan approval process:
- i) ensure pedestrian paths are situated to maximize their direct and continuous connection with pedestrian paths in the commercially zoned portion of the site to the north;
 - ii) detail the design of the 'hard landscape space' north of the podium component to create a 'forecourt' shared space linking the lobby entrance with the service road through the use of continuous paving treatments and landscaped features positioned to delineate vehicular and pedestrian pathways;
 - iii) position the lobby entrance, a public art installation, or significant landscape element to create a view terminus, visible from Gainsborough Road, aligned with the internal road connecting the residential portion of the site with Gainsborough Road;
 - iv) minimize surface parking and ensure all parking visible from the 'service road' is screened to emphasize the pedestrian quality in the north part of the residentially zoned portion of the site;
 - v) ensure siting and construction of the apartment buildings is consistent with the conceptual site plan and elevations/renderings included as Appendix "B";
 - vi) the Owner shall grant a municipaleasement of an appropriate size and alignment, consistent with the rear lane concept identified in the Hyde Park Community Plan, for public access across this site, all to the satisfaction of the City; and,
 - vii) minimize the potential impacts of the underground parking entrance, garbage facilities, lighting and other potential impacts on neighbouring properties;
- c) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM an Urban Reserve (UR3) Zone and a Holding Urban Reserve (h-2*UR3) Zone, which permits existing dwellings, agricultural uses except for mushroom farms, commercial greenhouses livestock facilities and manure storage facilities, conservation lands, managed woodlot, wayside pit, passive recreation use, kennels, private outdoor recreation clubs and riding stables TO a Holding Residential R9 Special Provision (R9-7(_)*H50) Zone, to permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings and continuum-of-care facilities with a special provision to allow for the reduction of the easterly side yard to maximum of 12m and maximum projection for the apartment's balconies into the required yards to a maximum of 3m BE REFUSED for the following reasons:
- i) the City of London's Transportation Department has concerns about the proposed access to this site in relation to the proximity of the intersection of Gainsborough Road and Coronation Drive and is requesting a holding provision until the submitted Transportation Impact Analysis is updated to address this matter; and,
 - ii) the City of London's Wastewater and Drainage Engineering Division also has concerns regarding how the south portion of the property will be serviced as the future servicing for the subject site is have not been built in and will be located over adjacent lands to the east which is not owned by the applicant;

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

- a communication dated August 12, 2013 from C. Creighton, Land Use Planner, Upper Thames River Conservation Authority; and,
- a communication dated August 19, 2013 from K. & M. Johnson, 1108-1035 Coronation Drive;

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

- M. Pease, IBI Group, on behalf of the applicant – see attached presentation.
- Shelly McKeen, 1009-1030 Coronation Drive – advising that it appears that there have been no negotiations through the City for the undeveloped land owned by other land owners; expressing concern with a development of this size, on a property of this size, which she believes is approximately 6.5 acres; indicating that it is within the guidelines; however it seems like a huge development on a small piece of land; advising that they see traffic problems on Hyde Park Road now; reiterating that the north part of Hyde Park Road will not be completed until 2015; indicating that there is a proposal for land use change at the corner of Coronation Drive and South Carriage Way; noting that she has not read the reports on this proposal; indicating that if the land use change proposal is to go ahead there will be a bigger influx of traffic; advising that she would really like to see the City consider the traffic in the north end; advising that Gainsborough Road and Hyde Park Road are very busy now; indicating that they cannot access Hyde Park Road from South Carriage Road easily on the weekdays from 7:00 AM to approximately 9:00 AM; advising that there is no stop light and there are no cross walks; indicating that there is a park for public use to the west but she cannot access the park without putting her life at risk trying to cross the street; advising that she has asked the City before to install traffic lights and/or a crosswalk; indicating that she does not see anything being presented immediately; advising that Hyde Park does have an Official Plan; indicating that the housing is currently low and medium density; indicating that she lives in a high rise and she understands high rise development and sees how the City clusters high rises so she understands how this proposal will start a cluster of high rises in the Hyde Park area; advising that she really wants the City to think about the transportation and the access for the public now; indicating that she understands that the people residing on South Carriage Way are upset with the traffic going through their subdivisions.
- Dan Foster, 509-1030 Coronation Drive – indicating that he recently moved to London from Ottawa; indicating that, after seeing the development in Ottawa, there is a message for City of London Planners; advising that the message is that, in that taking the individual zoning requests on a case by case basis, they all make sense; advising that they all incrementally add a little bit of traffic; indicating that there are safety issues that need to be addressed now; noting that Hyde Park Road will be developed by 2015; advising that there is no stop light on South Carriage Road; indicating that he does not see how people move around in this subdivision; noting as an example, that to the west of their building, Tricar had originally received zoning to build a building complimentary to their building; advising that there is a woodlot, from their point of view, right where Coronation Drive stops; indicating that there are turkeys and deer in the woodlot even though it has not been deemed significant; enquiring as to when the City advises them of what the plan is for Coronation Drive; hearing nothing about making South Carriage Drive safer today; advising that every time he tries to get out of the laneway, he takes his life into his hands; advising that it is an accident waiting to happen; indicating that this is all hours of the day, not just 7:00 AM to 9:00 AM; indicating that if he was a resident living in the rest of the subdivision, he would wonder why, when the residents of 1030 Coronation Drive want to come west, they come through their subdivision; indicating that that seems like a pretty poor plan; noting that there are traffic calming measures in that subdivision, including a traffic circle; advising that there are all kinds of kids running through there; admitting that he does not feel comfortable driving through the subdivision or even going out Wonderland Road South, towards the University; advising that if he takes Coronation Drive out, he has a 10 minute wait and he is taking his life into his hands; indicating that the site plan makes sense by putting the building in the back of the lot; advising that the residents at 1030 Coronation Drive should have some input into the detailed planning of the services; indicating that the applicant has done a good job angling the apartments so that the people living there

will have unobstructed views all the time but they have obstructed their views and he lives on that side of the building; understanding the density issues, but he does not want to have to listen to all the noise of people moving in and out of the units and garbage collection; indicating that the applicant needs to do a better job of setting garbage collection on the other side so that it lines up with the commercial nature which is in and out anyway; noting that, if the garbage collection area is moved, the applicant would not have to worry about a berm; and requesting that the staff figure out what they doing with Coronation Drive and make that raceway complete.

- Donna Szpakowski, Chair, Hyde Park Business Association – expressing support for the zoning amendment from Urban Reserve to High Density as this property was already identified as being high density in the 1999 Hyde Park Community Plan; noting that this supports the Hyde Park Community Plan, which was created with over 600 residents involved; indicating that the Hyde Park Community Plan speaks to increasing the residential population in the Hyde Park hamlet, which supports the growth and sustenance of local businesses in the area; expressing support for the holding provisions that Councillor M. Brown will be putting forward tonight as they pertains to the commencement of construction for these lands; hoping that a holding provision will be added for the 2014-2015 Hyde Park Road widening and its impact on residents, businesses, vehicles, pedestrians and safety, along with existing road safety concerns that they have attempted to lobby for; advising that, at this time, Hyde Park Road does not have the infrastructure to logistically or safely sustain traffic due to construction or increased residential counts until the Hyde Park Road widening has been completed and there is a loop that takes people off of Hyde Park Road and Gainsborough Road; expressing agreement with the comments made by Mr. D. Foster that the community is very involved in how access is gained, how noise is handled and such large additions to their community; indicating that Hyde Park's character and vision was built into the Community Plan and the Hyde Park Business Association maintains that the hamlet of Hyde Park, which they envision as east and west along Gainsborough Road would be compromised by more than three high rises with the lands to be designated high density now or in the future within the hamlet; and advising that what they are asking is that if they have to have three high rises, that for the sake of the hamlet and for the sake of the visioning of the Hyde Park area that it be limited just to three.
- Apple Dobbin, 976 Gainsborough Road – expressing concern with the volume of traffic on Hyde Park Road and Gainsborough Road as both roads are very busy now; indicating that, if a new road is going to be added for the two new apartment buildings, it is going to make things much worse; indicating that, if they only have to make turns out and in, it is going to be very troubling to a lot of people; advising that the traffic situation is one that is very essential and has to be looked at very carefully and essentially for all the people who live around that little area; enquiring as to where the road is being installed; and reiterating that the roads are very dangerous for the traffic along Gainsborough Road and Hyde Park Side Road.
- Michelle Doornbosch, Zelinka Priamo Ltd., on behalf of Marquis Holdings Inc. – indicating that the dental office is located directly west of the subject site; advising that the building was constructed in 2006; wanting to ensure that the long-term viability of their property is maintained; indicating that, with all the traffic comments that have been made, there has been no mention of the existing entrance into the dental office; indicating that the applicant's presentation outlines a blocked in entrance to the property directly to the west of the dental office; noting that this is not entirely accurate as the applicant shows the building on the property line; advising that the entrance to the dental office is directly adjacent to the proposed entrance at Gainsborough Road; advising that there is no mention in the staff report or the traffic impact analysis as to how that is to be handled; advising that she met with the developer last week to outline their concerns; noting that she has not seen any updated plans as to how that is to be addressed; indicating that she does support the h-11 and the h-5 holding provisions to ensure that access can be addressed and this is a public site plan process; advising that she wants to ensure that their clients concerns are addressed through the process; indicating

that they looked at the development agreement for the property from 2006; noting that there is provision in it for joint access, but there is no provision to require the existing entrance to close; reiterating that their biggest concern is that the two entrances cannot function as they are shown on the plan; hoping that some revisions can be made so that there are no impacts from this proposed development on the existing traffic patterns to that entrance. (2013-D14A)

Voting Record:

Motion to amend part b), by including vi) and vii), to ensure that the Owner grant a municipal easement of an appropriate size and alignment, consistent with the rear lane concept identified in the Hyde Park Community Plan, for public access across this site, all to the satisfaction of the City; and, to minimize the potential impacts of the underground parking entrance, garbage facilities, lighting and other potential impacts on neighbouring properties.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

Motion to Approve parts a) and c).

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

Motion to Approve clause 17, as amended.

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

18. Secondary Dwelling Units (OZ-8053)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the City of London, for an Official Plan Amendment to amend existing policies, relating to secondary dwelling units and for a Zoning By-law Amendment to introduce regulations related to secondary dwelling units, the following actions be taken:

- a) a public participation meeting BE HELD at the Planning and Environment Committee on September 24, 2013, with respect to the proposed amendments; and,
- b) the proposed Official Plan Amendment and Zoning By-law Amendment BE INTRODUCED at a future meeting of the Municipal Council;

it being noted that the Planning and Environment Committee reviewed and received the attached communication, dated August 20, 2013, from B. Lansink, 507 Colborne Street, with respect to this matter;

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

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

IV. ITEMS FOR DIRECTION

19. Proposed Stoneycreek Pathway

Recommendation: The S. Evoy, 29 Stoneycreek Crescent, BE GRANTED delegation status at the September 24, 2013 Planning and Environment Committee meeting with respect to the proposed Stoneycreek Pathway. (2013-R04)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

20. Tricar Subdivision (Phase 2) - 39T-11504

Recommendation: That C. Linton, Norquay Sunningdale Land Corp. BE DENIED delegation status at a future Planning and Environment Committee meeting with respect to the Tricar Subdivision, Phase 2, as there is an existing policy and process in place with respect to this matter.

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, B. Polhill, P. Hubert, S.E. White (5)

NAYS: D.G. Henderson (1)

21. Near-Campus Neighbourhood Amendments (Z-8218)

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner and the Managing Director, Development and Compliance Services & Chief Building Official, the following actions be taken with respect to city-wide Zoning By-law and minor variance applications relating to Near-Campus Neighbourhood amendments:

- a) the Managing Director, Planning and City Planner BE DIRECTED to prepare Zoning By-law amendments to:
 - i) amend Section 2 of the Zoning By-law to modify the Parking Area definition to exclude Private Garages from the parking area calculation;
 - ii) amend Section 4.19. of the Zoning By-law to require that Private Garages located in the rear yard are to be regulated as accessory uses as set out in Subsection 4.1 of the Zoning By-law when a Private Garage is an accessory structure; and,
 - iii) amend Section 5.3 and Table 5.3 of the Zoning By-law Z.-1 to permit 1.2m interior side yard depths for all Residential R1-1 to R1-5 and R1-12 to R1-13 variations while requiring that one side yard depth be a minimum of 3.0m where no private garage is attached to the dwelling;
- b) a special meeting of the Planning and Environment meeting be convened on Monday, September 16, 2013 at 3:00 PM for the purpose of holding a public participation meeting in connection with the proposed Zoning By-law amendment referred to in clause a), above; and,
- c) the actions taken by Civic Administration to initiate Minor Variance applications for various lots zoned Residential R1-1 to R1-5 and R1-12 to R1-13 to seek relief from the regulations of the Zoning By-law pertaining to the interior side yard depth BE ENDORSED. (2013-D14A)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

22. Property located at 13 Blackfriars Street

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the report dated August 20, 2013, relating to the property located at 13 Blackfriars Street BE RECEIVED. (2013-L01/R01)

Voting Record:

Motion Passed

YEAS: J.F. Fontana, N. Branscombe, D.G. Henderson, B. Polhill, P. Hubert, S.E. White (6)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. ADJOURNMENT

The meeting adjourned at 9:27 PM