28TH REPORT OF THE

PLANNING COMMITTEE

Meeting held on November 29, 2004, commencing at 4:04 p.m.

PRESENT: Councillor J. L. Baechler (Chair), Controllers W. R. Monteith and W. J. Polhill, Councillors J. P. Bryant, C. Miller and H. L. Usher and L. J. Fisher (Secretary).


I YOUR COMMITTEE RECOMMENDS:

1. (1) That, on the recommendation of the General Manager of Planning and Development, in response to the letter of appeal to the Ontario Municipal Board, dated September 14, 2004 and submitted by Raymond J. Brule relating to the Consent application B.71/04 concerning 257 Louise Court, the Ontario Municipal Board BE ADVISED that the Municipal Council supports the decision of the Consent Authority to refuse the consent and that the City Solicitor and General Manager of Planning and Development BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Consent Authority's decision. (59.3.1.04)

2. (2) That, on the recommendation of the General Manager of Planning and Development, based on the request from Werner Humann for a 3 year extension to draft approval for plan 39T-01503, on lands legally described as Part Lot 5, Concession 1, BE REQUESTED to approve the request for a 3 year extension of the draft plan of subdivision approval for the plan submitted by Werner Humann, (File No. 39T-01503), prepared by Development Engineering (London) Ltd., certified by R.H. Kruys, Ontario Land Surveyor, dated April 9, 2001, which shows 13 residential lots to be served by the extension of Avalon Street, one residential block to be served via a right-of-way to Beatrice Street, two temporary turning blocks and two 0.3 metre reserve blocks, SUBJECT TO the preparation of a new subdivision agreement. (59.17.6.04)

3. (3) That, on the recommendation of the General Manager of Planning and Development, the following possible modifications to Section 3 of the Demolition Control Area By-law, Sections 2(7) and 19(27) of the City of London Policy Manual and Part I Section 5.0 in the Inventory of Heritage Resources, as outlined in the attached Schedule “A” and Schedule “B” BE CIRCULATED to the Inventory London Advisory Committee on Heritage and other interested parties and individuals, and brought back to a future public participation meeting of the Planning Committee for further consideration. (5.21.1.04)

4. (4) That, on the recommendation of the General Manager of Planning and Development, in response to the letters of appeal to the Ontario Municipal Board, dated May 10, 2004 and June 25, 2004 submitted by Peter and Margaret Gillespie relating to Zoning By-law No. 2-1-041225 and the draft plan of subdivision File No. 39T-03508 concerning municipal address 2332 Wickerson Road, 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 that the City Solicitor, the General Manager of Planning and Development and the General Manager of Environmental and Engineering Services and City Engineer BE DIRECTED to provide legal and planning/engineering representation at the Ontario Municipal Board Hearing. (59.24.4.04)

5. (7) That, on the recommendation of the General Manager of Planning and Development, Municipal Staff BE DIRECTED and BE AUTHORIZED to negotiate with the appellant and the Upper Thames River Conservation Authority to settle the current Ontario Municipal Board appeal to OPA No. 298 as it relates to 151 Travelled Road, provided that:
6. (12) That, on the recommendation of the London Advisory Committee on Heritage, staff **BE REQUESTED** to review Agricultural Land Consent Policies and Rural Settlement Policies contained in the City of London's Official Plan and report back to a future meeting of the Planning Committee; it being noted that the current policies may unnecessarily result in the further loss of heritage buildings through required demolition when a second house is built outside an existing farm cluster.

7. (12) That, on the recommendation of the London Advisory Committee on Heritage, staff **BE REQUESTED** to review the allocation of additional grant funds for the conversion of heritage buildings to affordable rental housing if such proposals are received and report back to a future meeting of the Planning Committee.

8. (12) That the comments from the London Advisory Committee on Heritage with respect to the adoption of the Coves Subwatershed Plan as a guideline document **BE NOTED**.

9. (12) That, on the recommendation of the London Advisory Committee on Heritage, staff **BE REQUESTED** to review City of London policies with respect to downtown redevelopment with a view to greater retention of heritage properties and to report back to a future meeting of the Planning Committee.

10. (13,29) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Technivel Industries Limited relating to the property located 2179 Hyde Park Road:

   (a) a by-law **BE INTRODUCED** at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. 5000 (former Township of London) to delete the Agricultural Exception (A1-40) Zone from the subject lands and remove the site from the By-law;

   (b) a by-law **BE INTRODUCED** at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. Z-1 in accordance with the attached enacting clause (in conformity with the Official Plan) to change the zoning for the property located at 2179 Hyde Park Road to apply a Holding Residential R9 Temporary (h-11.R9-1/ T-( )) Zone to continue to permit a topsoil depot for a period of not more than three years from the date of the passing of this by-law and to allow for the future development of apartment buildings lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities at a maximum density of 75 units per hectare and a maximum height of 32 metres. The holding provision is to ensure orderly development of lands and the adequate provision of municipal services; and

   (c) the request to amend Zoning By-law Z-1 to change the zoning of the subject lands to apply a Residential R9 (R9-1) and a Restricted Office (RO3) Zone **BE REFUSED**;

   it being noted that access shall be limited to the proposed collector road intersecting Hyde Park Road and that a development agreement will be required to ensure the orderly development of lands, and the adequate provision of municipal services;

   it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:
PC-3

- J. Davis – Jack E. Davis Holdings Ltd. – representing the applicant and expressing support for the staff recommendation as corrected. (59.24.4.04)

11. (14) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the City initiated Official Plan and Zoning By-law review relating to properties located at 1647 Fanshawe Park Road East, 1755 Fanshawe Park Road East and 1732 Highbury Avenue North:

(a) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend the Official Plan in accordance with the attached amendment to change the designation of 1647 Fanshawe Park Road East and 1755 Fanshawe Park Road East from Urban Reserve Community Growth to Multi-Family, Medium Density Residential;

(b) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. Z.-1 in accordance with the attached enacting clause (in conformity with the Official Plan, as amended in part (a) above) to delete the Extractive Industrial (M4) Zone (former London Township By-law No. 5000) on the property at 1755 Fanshawe Park Road East and remove the site from the By-law and apply a Holding Residential R5/R6/R7(h. h-11 h-52 h-54 R5-3/R6-5/R7 D50 H12) Zone from Zoning By-law Z-1 which permits uses such as townhouses and stacked townhouses at a maximum density of 35 units per hectare and a maximum height of 12 metres; cluster dwellings such as single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse and apartment buildings to a maximum density of 35 uph and a maximum height of 12 metres; and seniors apartment buildings and special populations accommodation to a maximum density of 50 uph and a maximum height of 12 metres;

(c) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to remove the Holding Provision (h-45) which applies to the easterly portion of the lands at 1732 Highbury Avenue North, which requires the submission of a noise and dust study to justify development within 300 metres of an aggregate resource area/operation, to allow the Residential R1(R1-4) Zone to come into effect;

(d) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend Section 4.21 of Zoning By-law No. Z-1 in accordance with the attached enacting clause to identify the secondary collector roads in the draft approved plans of residential subdivision 39T-02503 (located on the east side of Highbury Avenue North and south of Fanshawe Park Road East) and 39T-01509 (located on the east side of Highbury Avenue North and north of Fanshawe Park Road East); and

(e) the property located at 1647 Fanshawe Park Road BE REFERRED to the London Advisory Committee on Heritage for its review; it being noted this property is listed as a Priority 1 in the Inventory of Heritage Resources;

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

- D. Riley, Z Group – expressing support for the staff recommendation.
- M. Kerr, 163 Elworthy Avenue – requesting clarification as to what the plans are for the property located at 1647 Fanshawe Park Road as it is listed as a priority one structure in the Inventory of Heritage Resources. (59.24.4.04)

Final Terms of Reference – W12A Landfill Area Study

12. (15) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the Terms of Reference to guide the preparation of the W12A Landfill Area Study:

(a) the Terms of Reference BE APPROVED; and
PC - 4

(b) staff BE REQUESTED to:

i. post simplified versions of studies relating to the Terms of Reference on the City's website to provide the public with clarification of technical data;

ii. advertise the City/County Waste Management Steering Committee meetings in Living in the City to ensure members of the public are notified in advance of all meetings; and

iii. report back on the matter of seventy five per cent of the City's water supply being supplied from this area prior to the construction of the Lake Huron pipeline;

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

• D. Budden, 6429 Bradish Road – expressing concerns as outlined in the attached communication dated November 29, 2004.

• S. Makin, 6368 White Oak Road – expressing concerns about traffic, odours from the site, water quality and times for public meetings, inquiring as to who the City is accountable for with respect to these items and asking that the area study be discontinued and other alternatives be explored.

• L. Smythers, 359 Riverside Drive – expressing concerns with respect to natural heritage studies, public notice for the City/County Waste Management Steering Committee meetings and also questioning how it is possible that leachate will take more than 500 years to reach aquifers below the landfill.

• D. MacPherson, 6620 White Oak Road – requesting additional funding from the City of London to allow for more citizens to participate in the area study; noting the community is willing to prepare a draft budget for this purpose.

• E. Morrison, 4267 Manning Drive – expressing concern that the terms of reference do not account for the imminent changes forthcoming in the Planning Act which will have an impact, that an industrial designation will attract uses detrimental to the current residential uses and noting that if this is the course of action taken the Urban Growth Boundary should be expanded.

• K. Makin, 6368 White Oak Road – indicating that the public meetings should be held later in order for more people to attend, expressing concern about what uses the industrial designation may lead to in the future and what rights the existing residents will have once the new zoning is implemented.

• R. Carrier, 2746 Manning Drive – requesting the terms of reference be postponed, noting that the City of Toronto is watching for the expansion of this site for its own purposes. (23.4.2.04)

1319745 Ontario Inc. (N. Shousher) – 200 Albert Street

13. (16) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of 1319745 Ontario Inc. (N. Shousher) relating to the property located at 200 Albert Street:

(a) the request to amend the Official Plan by adding a Special Policy to Chapter 10 of the Official Plan to permit a commercial parking lot, in addition to those uses currently permitted on the subject property BE REFUSED; it being noted that an Official Plan amendment is not required for a temporary use in conformity with the Official Plan;

(b) the request to amend Zoning By-law No. Z-1 to change the zoning of the subject property from a from a Residential R10/Office Conversion (R10-3)(OC7) Zone to a Residential R10 Special Provision/Office Conversion (R10-3 (OC7) Zone in order to permit a commercial parking lot, in addition to the uses permitted by the current zoning for the subject property BE REFUSED;

(c) a by-law BE INTRODUCED at the Municipal Council meeting on December
6, 2004 to amend Zoning By-law No. Z-1, in accordance with the attached enacting clause (in conformity with the Official Plan) to change the zoning of the property located at 200 Albert Street FROM a Residential R10/Office Conversion (R10-3.H24/OC7) Zone to a Residential R10/Office Conversion/Temporary Use (R10-3.H24/OC7/T-_) Zone to permit a commercial parking lot for a temporary period of three years; it being noted that a commercial parking lot is not the intended long-term use for the subject property and that site plan approval for a commercial parking lot will be required in order to address issues of landscaping and buffering, lot surface treatment and access; and

(d) staff BE REQUESTED to meet with the applicant and Dr. D. Cain, owner of the property located at 175 Albert Street to discuss satisfactory landscaping and buffering for the subject site; it being noted that staff will report back to the Planning Committee on the outcome of these discussions;

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

- J. Davis, Jack E. Davis Holdings Ltd. – representing the applicant and expressing support for the staff recommendation; noting that negotiations are continuing to bring forward a residential development for this site but that a parking lot use in the interim will prevent a vacant lot on the block; further noting the parking lot will not be managed by the City of London.
- R. Harper, representing Dr. D. Cain, 175 Albert Street – indicating a number of issues need to be resolved at the site plan approval stage, expressing concern that the temporary parking lot use not be extended indefinitely; noting that many parking lots in the downtown area are not well managed and have issues with garbage.

14. (17) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Southside Construction Management Ltd. relating to the property identified as 1020 Wonderland Road South:

(a) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend the Official Plan in accordance with the attached amendment to add a Special Policy to Chapter 10 of the Official Plan to permit a self-storage establishment in addition to the commercial uses currently permitted;

(b) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. Z-1 in accordance with the attached enacting clause (in conformity with the Official Plan, as amended in part (a) above) to change the zoning of the subject property FROM a Holding Associated Shopping Area Commercial (h.25/ASA1/ASA2/ASA4/ASA8) Zone TO a Holding Associated Shopping Area Commercial Special Provision (h.5/ASA1/ASA2/ASA4( ))/ASA8( )) Zone to permit a self-storage establishment at a maximum gross floor area of 8,184 m2 (88,093 sq.ft.) with a minimum rear and interior side yard setback of 6 metres (19.7 ft.), and a maximum lot coverage of 44%; and to limit the maximum gross floor area for commercial uses on the balance of the subject property to 2,100 m2 (22,606 sq. ft.) and amend Section 24.3(7) to provide for increased coverage and gross floor area; it being noted that the Holding Provision (h5) requires a public meeting at the site plan approval stage in order to address specific issues, including: the consideration of noise attenuation along the north and east property boundaries of the subject property; drainage and storm water management; lighting; the need for a secondary access to the subject property from Southdale Road and the location of new loading docks as they may impact the residential area to the east; and

(c) the request to remove the Holding Provision (h.25) that requires specific design considerations for large retail commercial uses BE APPROVED insofar as the this provision is intended to apply to retail commercial
developments in excess of 6,000 sq metres (64,585 sq. feet), which is not being proposed by the applicant;

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

- A. Patton, Patton, Cormier and Associates – representing the applicant and indicating the site will be used for a self storage facility and for smaller retail buildings on the same lot; noting that similar existing facilities have been placed adjacent to existing and new residential development with success on both Commissioners Road and Adelaide Street, that traffic studies have been conducted at both those sites and have found that traffic is very minimal; further noting that an Official Plan amendment is not necessary as the area should be guided by Commercial Area Shopping Policies as per the area of Dundas Street between Second and Third Streets where a similar situation did not necessitate an Official Plan amendment; expressing disagreement with engineering concerns outlined in the staff report that suggest a holding provision is necessary and requesting that the holding provision be removed from the site, that the rear sideyard depth abutting residential uses be clarified, and that staff, neighbours and the applicant be allowed to resolve site plan issues without a public site plan meeting.

- J. Agnew, 15-163 Pine Valley Road – representing the residents of the condo corporation located at 163 Pine Valley Road and expressing concerns about a second access from Southdale Road, the loss of a treed green space abutting their property for parking for this site, which should not be necessary given the traffic studies conducted, that a loading dock located adjacent to the condominiums will disturb the residents, that the site is badly maintained, that the existing board on board fence is not a noise attenuation fence, that noise and smells from a proposed drive through restaurant will disturb the residents, that there are still drainage concerns and questions about the storage of recreational vehicles on this site.

- T. Ryell – representing Westview Baptist Church, 1000 Wonderland Road South, requesting the current uses and rear setbacks be maintained.

- P. McLaughlin, 163 Pine Valley Drive – outlining points of concern in the attached communication dated November 22, 2004. (59.24.4.04)

15. (18) That, the General Manager of Planning and Development BE REQUESTED to arrange a public participation meeting of the Planning Committee for consideration of the site plan required for the proposed development by Kinderen Homes relating to the property located at 552 Hyde Park Road. (59.24.4.04)

16. (19) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of T.D.L. Group Corp. relating to the property located at 1457 Wilton Grove Road, at the southeast corner of Wilton Grove Road and Highbury Avenue:

(a) the request to amend the Official Plan to change the designation of the subject lands FROM “Agriculture” TO “Light Industrial”; and to change the Urban Growth Area boundary as shown on Schedule ‘A’ Land Use Map to include the subject lands; BE REFUSED;

(b) the request to amend the Zoning By-law to change the zoning of the subject lands to delete the General Agricultural (A1) zone in By-law No. 2000 (former Town of Westminster), remove this site from that by-law, and apply a “Light Industrial (L14)” zone in By-law No. Z-1 to permit a range of light industrial and associated secondary uses, including such uses as bakeries, business service establishments, manufacturing and assembly industries, research and development establishments, warehouse establishments, wholesale establishments, restricted automotive uses, clinics, convenience stores, financial institutions, medical/dental offices, personal service establishments and restaurants BE REFUSED;

(c) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004, to amend the Official Plan in accordance with the attached
amendment to add a specific area policy in Chapter 10 to permit a restaurant use oriented to the intersection of Wilton Grove Road and Highbury Avenue; and

(d) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004, to amend Zoning By-law No. 2000 in accordance with the attached enacting clause (in conformity with the Official Plan, as amended in part (c) above) to delete the General Agricultural (A1) zone in By-law No. 2000 (former Town of Westminster), remove this site from that by-law, and apply a Highway Service Commercial Special Provision (HS4( )) Zone in By-law No. Z.-1 to permit restaurants;

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

- J. Davis, Jack E. Davis Holdings Ltd.- representing the applicant and expressing support for the staff recommendation. (59.24.4.04)

17. (20) That, on the recommendation of the Director of Building Controls, NO ACTION BE TAKEN with respect to the request by B. Stevens to refund the fee for cash-in-lieu of parkland dedication at 4855 Old Victoria Road. (58.1.1.04)

18. (21) That, the application of Daimler Chrysler Canada Inc. for a variance from the regulations of the Sign and Canopy By-law to maintain an existing 15.4 sq. metre ground sign located partly on the road allowance and less than 1.5 metres from the municipal sidewalk at 625 Oxford Street West BE REFERRED to staff for further discussion with the applicant and to report back at a future meeting of the Planning Committee. (67.3.2.04)

19. (22) That, on the recommendation of the General Manager of Planning and Development, based on the application of North Gren Land Corporation and the City of London relating to the lands at 1215 to 1243 Sunningdale Road East and 1260 Savannah Drive:

(a) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. 5000 (former Township of London), in accordance with the attached enacting clause, to delete the Rural Residential (RR) Zone and the Agricultural (AI) Zone applicable to the lands located at 1223 to 1243 Sunningdale Road East and remove the lands from the By-law;

(b) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. Z-1, in accordance with the attached enacting clause (in conformity to the Official Plan), to add the lands at 1223 to 1243 Sunningdale Road East to the By-law and apply the Residential R1 (R1-14) and Residential R1 (R1-13) Zones to permit single detached dwellings;

(c) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. Z-1 in accordance with the attached enacting clause in conformity with the Official Plan to add the Residential R1 (R1-14) Zone and regulations to Zoning By-Law Z-1 and apply these regulations to the northerly portion of the lands at 1223 to 1243 Sunningdale Road East to permit single detached dwelling lots having a minimum lot frontage of 30 metres (98.4 ft.) and a minimum lot area of 2000 m2 (21,528 sq. ft.); it being noted that these recommendations are necessary in order to correct a deficiency in the original recommendation contained in By-Law No. Z.-1-041283 which was repealed at the Municipal Council meeting on Monday November 15, 2004;

(d) the request by the applicant to apply the Residential R1 (R1-9) Zone to the northerly portion of the properties at 1223 to 1243 Sunningdale Road East BE
REFUSED; and

(e) that the property at 1215 Sunningdale Road East BE EXCLUDED from the recommended Zoning By-Law amendments at this time and that the zoning for this property be addressed through the City’s Annexed Area Zoning By-Law program;

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

- W. Veitch – representing the applicant and expressing concurrence with the recommendation. (59.24.4.04)

Ivan and Nadio
Danylchenko
3699 Dingman
Drive

20. (23) That, on the recommendation of the General Manager of Planning and Development, based on the application of Ivan and Nadio Danylchenko relating to the property located at 3699 Dingman Drive a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. 2000 (former Town of Westminster) in accordance with the attached enacting clause (in conformity with the Official Plan) to change the zoning from a Rural Holding (A2) Zone, which permits farms on a minimum lot area of 22 hectares (54 acres) with one single detached dwelling to a Rural Holding Exception (A2-) Zone to also permit a garden suite for a temporary period not exceeding ten years within the existing farm cluster on a minimum lot area of 30 hectares (75 acres);

it being noted staff will meet with Mr. Danylchenko to review the types of houses allowable under garden suites as well as the procedure to be followed for a potential extension of the ten year period;

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

- V. Danylchenko, 3699 Dingman Drive – representing the applicants and indicating they wish to continue the agricultural use of the property and expressing concern about the type of housing allowable and its temporary nature. (59.24.4.04)

M. J. Ansari
1985 Gore Road

21. (24) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of M. J. Ansari relating to the property located at 1985 Gore Road, at the Canadian National Railway right-of-way:

(a) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. Z-1 in accordance with the attached enacting clause (in conformity with the Official Plan) to change the zoning of the subject lands FROM a Holding General Industrial (h-GII) Zone which permits auction establishments, automobile body shops, building and contracting establishments, manufacturing and assembly industries, private clubs, service trades, warehouse establishments and wholesale establishments on lots with a minimum frontage of 50 m (164 ft) and a minimum area 2500 m² (0.62 ac) TO a Holding Light Industrial/General Industrial (h-L12/GI1) Zone to permit the following additional uses: business service establishments, manufacturing and assembly industries, warehouse establishments, wholesale establishments, repair and rental establishments and service trades on lots with a minimum frontage of 30 m (98.4 ft) and a minimum area of 2000 m² (0.49 ac). The existing Holding (h) provision prohibits new uses until municipal services are available and shall not be deleted until a subdivision agreement or development agreement is entered into with the City of London; and

(b) the request to remove the Holding Provision (h) BE REFUSED;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:
22. (25) That, on the recommendation of the General Manager of Planning and Development, the application submitted by Commerce Park Inc./312185 Ont. Ltd./Heriot Bay Investments Ltd. and Sabel Holdings Ltd. relating to properties located at 150 and 297-309 Exeter Road BE DEFERRED until a legal opinion can be received with respect to a request by the applicant's agent to designate a special provision zone for uses under the LI4 zone; it being noted the General Manager of Planning and Development will provide a report to the Municipal Council at its meeting on December 6, 2004;

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

- D. Riley, Z-Group – representing the applicant and noting the sites are currently operating under the M1 Zone from the former Town of Westminster which provides for an extensive range of uses deemed to be commercial in nature, that there are a number of long term leases operating under these uses and requesting a special provision for the LI4 zone to allow these uses to continue. (59.24.4.04)

23. (26) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Vista Woods Estates Inc. relating to the property located at 751 Fanshawe Park Road West:

(a) on the advice of the Administrative Planning Advisory Group, the Approval Authority BE REQUESTED to approve the draft plan of residential subdivision submitted by Vista Woods Estates Inc. (File No. 39T-03505), prepared by J. Andrew Smith, O.L.S. (Drawing No. Dp7.DWG, dated May 12, 2004), as amended, which shows 297 single detached residential lots, one single detached residential block, three multiple family residential blocks, and two park blocks, served by three new secondary collector roads and 10 new local roads, SUBJECT TO the conditions contained in the attached Appendix "39T-03505-1";

(b) on the advice of the Administrative Planning Advisory Group, the Draft Approval of the residential plan of subdivision submitted by Vista Woods Estates Inc. (File No. 39T-03505), as amended, BE APPROVED, SUBJECT TO the requirements contained in the attached Appendix "39T-03505-2";

(c) a by-law BE INTRODUCED at the Municipal Council meeting on December 6, 2004 to amend Zoning By-law No. Z-1 to change the zoning of the subject property in accordance with the attached enacting clauses (in conformity with Official Plan Amendment No. 324) to DELETE the Agricultural (A1) Zone and an Agricultural Exception ([(A1-(38)] Zone in former Township of London By-law No. 5000 and remove these lands from the By-law, and APPLY the following Zones in By-law No. Z-1: a Holding Residential R1 (h-R1-4), a Holding Residential R1 (h-R1-6), a Holding Residential R5/R6 (h-R5/6-R6-4), a Holding Residential R5/R6 (h-R5-4/R6-5), and an Open Space (OS1) Zone, and that Section 4.21, Road Allowance Requirements - Specific Roads, be amended to identify the secondary collector roads. The requested residential zones will permit a range of residential uses including single detached dwellings, street townhouses, cluster housing (cluster townhouses, cluster single detached dwellings and cluster apartment buildings). The OS1 zone would permit public parks, conservation lands and golf courses. The Holding symbols would require the owner to enter into a subdivision or development agreement to ensure the orderly development of the lands and the adequate
provision of municipal services, and to agree to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London, on multiple-family blocks adjacent to arterial roads;

(d) the request to amend Zoning By-law No. Z.-1 to zone proposed Lots 1 – 30 as a Residential R1/R4 (R1-4/R4-2) Zone BE REFUSED;

(e) the applicant BE ADVISED that the General Manager of Environmental and Engineering Services and City Engineer has projected the following claims and revenues information:

<table>
<thead>
<tr>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Urban Works Reserve Fund</strong></td>
<td>$ 2,228,020</td>
</tr>
<tr>
<td>Claim (excluding SWM)</td>
<td>---</td>
</tr>
<tr>
<td>SWM Claim (including land)</td>
<td>---</td>
</tr>
<tr>
<td><strong>Dev't &amp; LDCSB Charges Reserve Fund</strong></td>
<td>$ 3,047,164</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td>$ 5,275,184</td>
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</tbody>
</table>

NOTE: (1) ESTIMATED REVENUES FROM DEVELOPMENT, LONDON DISTRICT CATHOLIC SCHOOL BOARD (LDCSB) AND URBAN WORKS CHARGES ARE BASED ON CURRENT RATES IN ACCORDANCE WITH BY-LAW C.P.-1440-167.

(2) THIS INFORMATION IS REPORTED IN ACCORDANCE WITH THE DEVELOPMENT CHARGES AND URBAN WORKS RESERVE FUNDS BY-LAWS, AND ANY AMENDMENTS THERETO. ANY CLAIM PAYMENT FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH BY-LAW NO. C.P.-1440-167 AND AS APPROVED BY THE CITY ENGINEER.

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

- M. Zunti, Stantec Consulting Ltd. – representing the applicant and expressing support for the staff recommendation and noting the applicant has retained a significant portion of the woodlot. (59.24.4.04)
II YOUR COMMITTEE REPORTS:

27. (5) That the Planning Committee (PC) received an information report from the General Manager of Planning and Development with respect to proactive by-law enforcement in neighbourhoods surrounding Fanshawe College; it being noted staff will provide an additional report relating to the budget implications of enabling by-law enforcement officers to deal with parking infractions and carry ticketing machines. (37.1.0.04)

28. (6) That the Planning Committee received an information report from the General Manager of Planning and Development with respect to the status of the Environmental Policy edits. (59.13.1.04)

29. (9) That the Planning Committee received and noted the 6th Report of the Agricultural Advisory Committee from its meeting held on November 17, 2004. (See Report attached)

30. (10) That the Planning Committee received and noted the 11th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on November 18, 2004. (See Report attached)

31. (11) That the Planning Committee received a Municipal Council resolution from its session held on November 15, 2004 with respect to appointments to the Planning Committee for the term ending November 30, 2005.

32. (12) That the Planning Committee received and noted clauses 5 through 17 of the 13th Report of the London Advisory Committee on Heritage from its meeting held on November 10, 2004. (See report attached)

33. (18) That the Planning Committee was unable to reach a majority decision with respect to the rezoning of the lands located at 582 Hyde Park Road and pursuant to Section 17.6 of the Council Procedure By-law is hereby submitting the matter to the Municipal Council for its disposition. (The report of the General Manager of Planning and Development dated November 29, 2004 is attached for reference);

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

- J. Davis, Jack E. Davis Holdings Ltd. – representing the applicant and noting this is an ideal location for this type of development, as it has all services in place, is on an arterial road beside open space, that the difference in the proposed height of the building and what residents would like to see is only 13 feet, and further noting that the Official Plan has designated these lands as high density since 1977.
- R. Dickinson, 1118 St. Anthony Road – representing the Oakridge Hazelton Community Association and expressing opposition to the staff recommendation noting the land should be medium density to be more in keeping with the surrounding medium and low density uses and also requesting a holding provision be applied to the site to allow for a public site plan meeting.
- B. Cunningham, 55 Fiddlers Green – representing 48 condominium owners and noting that the proposed development is not sensitive to the existing development in the area which is less intense; further noting that the developer, unlike others who have built in the area, did not approach the neighbours for their input and that they would like more say in the final plan for this site.
- H. Baxter, 876 Riverside Drive – representing the Oakridge Riverside Community Association and expressing support for the comments by R. Dickinson and requesting a public site plan meeting.
- H. Brouwers, 19-55 Fiddlers Green – expressing concern the new
development will not fit esthetically with the rest of the neighbourhood and supporting the comments of Mr. Cunningham. (59.24.4.04)

34. (28) That the Planning Committee (PC) received a communication from Councillor J. P. Bryant with respect to a request to clarify the maximum total number of bedrooms allowable in a multi unit dwelling and consideration of allowing two parking spaces per unit rather than one. The PC referred the matter to staff to review and report back at a future meeting of the PC. (37.1.1.04)

35. That the Planning Committee (PC) met in camera from 9:36 p.m. to 10:32 p.m. for the purpose of considering legal advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of considering a matter pertaining to personal matters about identifiable individuals, including municipal or local board employees, and is submitting a confidential report to the Municipal Council regarding these matters. (See Confidential Appendix to the 28th Report of the Planning Committee enclosed for Council Members only.)

The meeting adjourned at 10:37 p.m.