4TH REPORT OF THE
PLANNING COMMITTEE

Meeting held on January 30, 2006, commencing at 4:00 p.m.

PRESENT: Councillor R. Caranci (Chair), Deputy Mayor T.C. Gosnell, Councillors R. J. Alder, J. P. Bryant, A. A. Chahbar and S. E. White and L. J. Fisher (Secretary).


I YOUR COMMITTEE RECOMMENDS:

1. (1) That, on the recommendation of the General Manager of Planning and Development the following actions be taken with respect to the information report which proposes an amendment to the Official Plan to add policies pertaining to the allocation of sanitary sewage servicing capacity:

(a) the report BE RECEIVED and BE CIRCULATED to the London Development Institute, Urban League and other interested groups and individuals for review and comment and that consideration of the proposed Official Plan amendment be scheduled at a future meeting of the Planning Committee; and

(b) a joint public participation meeting of the Environment and Transportation Committee and the Planning Committee BE HELD on February 27, 2006 with respect to this matter and the report received by the Environment and Transportation Committee at its meeting held on January 30, 2006 relating to the 20 Year Sewer System Plan. (W10-01-06)

(Secretary's Note: This recommendation should be considered by the Municipal Council concurrently with clause 10 of the 3rd Report of the Environment and Transportation Committee.)

2. (2) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the adoption of a Community Improvement Plan for Brownfield Incentives in the City of London:

(a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to amend the Official Plan in accordance with the attached amendment, by modifying Figure 14-1 (Areas Eligible for Community Improvement), Section 14.2.2. (Designation of Community Improvement Project Areas), and Section 14.3.4. (Other Implementation Measures), to identify the lands within the Urban Growth Boundary as being an area eligible for community improvement based on the potential benefits that will be realized from the remediation and redevelopment of brownfields; it being noted that the enacting by-law and Official Plan Amendment are attached as Schedule "1";

(b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to establish the "City of London Community Improvement Project Area for Brownfield Incentives" pursuant to Section 28 of the Planning Act and as provided for under Section 14.2.2. of the Official Plan (as amended); it being noted that the Community Improvement Project Area enacting by-law and "City of London Community Improvement Plan for Brownfield Incentives" are attached as Schedule "2";

(c) the attached "City of London Community Improvement Plan for Brownfield Incentives" BE ADOPTED;

(d) the attached "City of London Community Improvement Plan for Brownfield Incentives" BE SUBMITTED to the Province for final approval pursuant to Section 28 of the Planning Act;
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(e) the Brownfield Incentives CIP municipal funding allocation in Table 2 of this report, which provides program funding in the amount of $100,000 in 2006, $250,000 in 2007 and $500,000 per year from 2008 through 2010 BE APPROVED subject to confirmation of the eligibility for funding through the Federal Gas Tax Reserve Fund; it being noted that subject to such confirmation, this program is not expected to have an impact on the 2006 operating and capital budgets;

(f) staff BE DIRECTED to prepare list of potential brownfield sites that may be a priority for one or more of the CIP incentives and to report back at a future meeting of Planning Committee; and

(g) staff BE DIRECTED to report back to the Planning Committee after one year to provide an update on the status of the Community Improvement Plan and brownfield cleanup activity, including the need for any additional staff resources that may be required to implement the incentive programs. (D07-06)

3. (3) That, on the recommendation of the General Manager of Planning and Development, the report dated January 30, 2006 with respect to the identification of a framework for an Airport Area Community Improvement Plan BE RECEIVED for information and staff BE DIRECTED to prepare a Community Improvement Plan for the Airport Area for consideration at a future meeting of Planning Committee. (D07-06)

4. (5) That the recommendation of the London Advisory Committee on Heritage requesting the Civic Administration to initiate the process of establishing a Heritage Conservation District in the Old South area BE DELETED and BE REFERRED to staff to review and report back at a future meeting of the Planning Committee.

5. (5) That, on the recommendation of the London Advisory Committee on Heritage, the authors of the following historical works BE RECOGNIZED and BE CONGRATULATED by the Municipal Council:

(a) "The Carty Chronicles of Landmarks and Londoners"
Publisher: The London and Middlesex Historical Society, 2005
Editor: Catherine B. McEwen

(b) "100 Fascinating Londoners"
Publisher: Lorimer Press, 2005
Editor: Michael Baker and Hilary Bates Neary

(c) "Walking Guide to Historic Sites in London"
Publisher: The London Public Library Historic Sites Committee, 2005.

6. That the Civic Administration BE REQUESTED to forward a copy of the forthcoming report with respect to future redevelopment options for Wonderland Gardens to the London Advisory Committee on Heritage for its review of heritage matters in relation to the site.

7. (6,20) That, on the recommendation of the General Manager of Planning and Development, based on the application of Gus Rahim relating to the property located at 55 Chalkstone Drive, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to:

(i) amend By-law No. Z.-1-051390, by repealing the zoning on the lands municipally located at 55 Chalkstone Drive and deleting those lands from the said By-law;

(ii) amend Schedule "A" to By-law No. 2000 (former Town of Westminster) by deleting the Rural Holding (A2) Zone at 55 Chalkstone Drive and deleting those lands from the said By-law; and

(iii) amend Schedule "A" to By-law No. Z.-1 (in conformity with the Official Plan) by changing the zoning of the said lands to apply a Temporary Holding
Light Industrial (T-( )/h.L16/L17) Zone to permit a range of temporary uses including a commercial transport driver training school, a storage depot, a transport terminal, and a building/contracting establishment for a period of not more than one (1) year from the date of the passing of the by-law, in addition to a broad range of light industrial uses, subject to a holding provision for the orderly development of land and adequate provision of municipal services;

it being noted that the temporary zoning is to allow for an interim use of the land while the applicant applies for a plan of subdivision to address the dedication and construction of Chalkstone Drive;

it being further noted that during the site plan approval process for the temporary uses, issues including, but not limited to, mobile structures, sanitary servicing and parking will be reviewed;

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 requesting a typographical amendment to the proposed Zoning by-law by amending the word "on" in the last line of the section describing the Temporary zone to the word "one". (D11-06-06)

8. (7) That, on the recommendation of the General Manager of Planning and Development, based on the application of Irene Adamczyk relating to the property located at 99, 101, 105 and 107 Stanley Street and 42 Wharncliffe Road South, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of the subject lands FROM a Convenience Commercial (CC1) Zone TO a Convenience Commercial Special Provision/Residential R3 (CC5( )/R3-2) Zone to permit offices, an art studio and photography studio in the existing building, to maintain the existing parking, and to permit the existing three residential units;

it being noted that the proposal does not represent an intensification of the use of the site, and therefore site plan approval is not required;

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. Adamczyk, 42 Wharncliffe Road South - representing the applicant and expressing support for the staff recommendation. (D11-01-06)

9. (8,21) That, on the recommendation of the General Manager of Planning and Development, based on the application of Jacob Malkin (representing Farhi Holdings Corporation) relating to the property located at 305-325 Queens Avenue (former Central Library building): (a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands FROM an Office Residential/Community Facility (OR.D250.H68/CF1) Zone which permits office apartment and office buildings to a maximum density of 250 units per hectare (101 units per acre) and a maximum height of 68m (223 ft.) and such uses as churches, community centres, day care centres and libraries TO a Holding Downtown Area Bonus (h.h-3.DA2.D350.H68/B- _) Zone which permits a broad range of residential, office, retail, facility and personal service uses to a maximum density of 350 units per hectare (142 units per acre) and a maximum height of 68m (223 ft.), with bonuses to allow a maximum height of 90m (295 ft.) in return for design features associated with the new structure, subject to holding provisions that require a street level wind study and a sanitary sewer study to determine whether the additional 100 units per hectare (40 units per acre) can be accommodated within the existing sewer system; and
(b) a public site plan meeting BE HELD at a future meeting of the Planning Committee once a site plan has been received and reviewed by the City;

it being noted that the attached Heritage Easement Agreement (see attached), which identifies those heritage building elements to be retained when the property is redeveloped, has been registered on the property's title;

it being further noted that a traffic impact study will be undertaken during site plan approval to review whether any changes to the traffic flow on Queens Avenue in the future would impact this development;

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

- B. Card, 200-252 Pall Mall Street – representing the applicant and expressing support for the staff recommendation to allow a building with a height of 68-90 metres, but requesting an amendment to the wording of the associated proposed by-law by deleting the limitation of the placement of the building only on the southerly or easterly portion of the site as the final location will be determined through bonusing and site plan approval.

- J. D. Caldwell, 506-7 Picton Street – noting that the view from his unit is southeasterly and requesting that the height of the new development be no higher than what is surrounding the site currently; further noting that as more units are developed in this area further traffic congestion will occur around Picton Street and Queens Avenue, and that there are a significant number of unoccupied units in the surrounding developments.

10. (9) That, on the recommendation of the General Manager of Planning and Development, based on the application of London Bridge Child Care Services Inc. relating to the property located at 712 Whetter Avenue, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to amend Zoning By-law No. Z-1 in conformity with the Official Plan to change the zoning of the subject lands FROM a Neighbourhood Facility (NF) Zone which permits churches and elementary schools TO a Neighbourhood Facility (NFI) Zone to permit churches, community centres, day care centres, elementary schools, libraries, private schools and fire stations;

it being noted that a minor variance will be required for a reduction in the number of required off-street parking spaces for the proposed day care use and that this variance is considered minor in nature and a matter of local concern;

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

- I. Gibb, London Bridge Childcare Services Inc. – representing the applicant and expressing support for the staff recommendation.

11. (10,22) That the application by 517 Fanshawe Inc. relating to the property located at 517 Fanshawe Park Road West BE REFERRED to a Special meeting of the Planning Committee on Monday, February 6, 2006 to allow staff to have additional discussions with the applicant with respect to this matter.

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

- R. Knutson, Knutson Planning Inc. – representing the applicant and expressing support for the staff recommendation with the exception of the application of the holding provision as engineering issues relating to access to the subject site and intersection improvements at Fanshawe Road West and Wonderland Road North have been discussed with the applicant and that resolutions have already agreed to and indicating opposition to the holding provision for the creation of an easement across their lands for stormwater and sanitary works which will service other neighbouring developers and not the applicant, and proposing that a clause be added to
the development agreement to require the applicant to negotiate with adjacent developers for compensation for the easement across the applicant’s land; further noting that a medium density townhome development on this site would result in a significant decrease in the vegetation buffer, and also submitting the attached letter from J.W.T. Judson expressing concern about site plan conditions relating to this application.

- D. McNamara, McNamara, Pizalle, Barristers and Solicitors — representing the Sisters of St. Joseph and noting that they use an adjacent property as a retreat which requires a degree of privacy, and that while they were originally concerned about the application they believe that the 27 meter height restriction and retention of an open space buffer zone will be adequate to maintain their privacy and also requesting that the building be located as far east on the site as possible.

- N. Ossau, 1710 Attawandaron Road — representing a number of neighbours in the area and expressing concerns about increased traffic in an already congested area and requesting additional information with respect to the density of the zoning of the proposed development.

- S. Stapleton, Auburn Developments Inc. — indicating that he represents one of the developers on adjacent property that would benefit from an easement for services across the applicant’s land and that they would be amenable to continuing discussions with staff and other landowners with respect to this issue.

- J. Kennedy, Drewlo Holdings Inc. — noting that they are in support of the development at the recommended height and noting that they have been involved in some of the negotiations relating to the proposed easement on the applicant’s land.

- R. Forest, Amica — representing the corporation that will be constructing the development and indicating that their goal is to construct a seniors’ residence on this site as soon as possible and that their intention is not to gain monetarily from an easement, and indicating that they believe reasonable discussions can resolve the outstanding issues.

(D11-03-06)

Costco Wholesale Canada Ltd. — 693 Wonderland Road North

12. (11) That, on the recommendation of the General Manager of Planning and Development, based on the application of Costco Wholesale Canada Ltd, relating to the property located at 693 Wonderland Road North, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands FROM an Associated Shopping Area Commercial (ASA3/ASA4/ASA8) Zone which permits a large range of commercial uses including retail stores, pharmacies, supermarkets and office uses; TO an Associated Shopping Area Commercial (ASA3/ASA4/ASA5/ASA8) Zone which permits retail stores, pharmacies, supper markets, offices and automotive uses;

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

- A. Benedetti, Goodmans Barristers and Solicitors — representing the applicant and expressing support for the staff recommendation noting that the application is solely for propane dispensing and not for a gas bar use.

(D11-02-06)

Bill Young — 3037 Woodhull Road

13. (12) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Bill Young relating to the property located at 3037 Woodhull Road:

(a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to amend Zoning By-law No. 8-1984 (former Township of Delaware), in conformity with the Official Plan, to change the zoning of the subject lands FROM an Agriculture (AG) Zone, which permits farms on a minimum lot area of 40 hectares (100 acres) and one single detached dwelling, TO an Agriculture Exception (AG- ) Zone to also permit a secondary farm dwelling within the existing farm building cluster; and
(b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to amend Zoning By-law No. Z-1-051390 (Annexed Area Zoning By-law Amendment), in conformity with the Official Plan, to change the zoning currently before the Ontario Municipal Board FROM an Agricultural AG2 Zone, which permits agricultural uses including a livestock farm and a farm dwelling, TO an Agricultural (AG2/AG5) Zone to also permit a secondary farm dwelling;

it being noted that the addition of a secondary farm dwelling will not serve as a basis for any potential future severance on the subject property;

it being further noted that the potential sites for the secondary farm dwelling location outlined in the staff report will not be suitable as they interfere with other functional features on the property and that staff and the applicant will undertake a further review of the site and identify a more suitable location on the property and provide a verbal report at the Special meeting of the Planning Committee to be held on Monday, February 6, 2006 should any difficulties arise from this matter;

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 but noting that the potential sites for the secondary farm dwelling location noted in the staff report will not be suitable as they interfere with other functional features on the property and requesting further discussions with staff to identify a more suitable site for the dwelling on the property.

14. (13) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of 1142057 Ontario Inc. (Operating as Tempur Canada) at 302 Wellington Road for a variance from the regulations of the Sign and Canopy By-law:

(a) the application to permit an illuminated 3.6 sq metre ground sign location less than 30 metres (7.5 m) from a residential use zone BE REFUSED; and

(b) an illuminated 3.0 sq metre ground sign less than 30 metres (7.5 m) from a residential use zone BE APPROVED subject to the owner entering into a Uniformity Plan Agreement to limit the illumination of the sign to the hours of operation of the business. (D24-06)

15. (14) That, on the recommendation of the General Manager of Planning and Development, based on the application of 2030391 Ontario Inc. (Sacwal Flooring) at 2200 Wharncliffe Road South for a variance from the regulations of the Sign and Canopy By-law, the application to permit a 5.1 sq metre ground sign with a 1.4 sq metre electronic message centre sign box located less than 100 metres from a residential zone BE APPROVED subject to the owner entering into a Uniformity Plan Agreement to limit the use of the electronic message portion of the sign to the hours of operation of the business. (D24-06)

16. (15) That, notwithstanding the recommendation of the General Manager of Planning and Development, based on the application of Harvey Buck relating to the property located at 1420 Hyde Park Road, the Civic Administration BE REQUESTED to prepare a Zoning By-law amendment for a future meeting of the Planning Committee to permit a temporary use of this property as a farm market for the sale of seasonal produce and a nursery and garden store, operating from May 1st to October 31st for a temporary period not exceeding two (2) years, SUBJECT TO all current clearing of land violations being resolved by the landowner.

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

- H. Buck, 1420 Hyde Park Road – indicating that they already have an established customer base from their former operation across the street and that approximately 150 neighbouring residents have signed a petition asking that this use be allowed, (Secretary's Note: a petition with approximately 150
signatures is on file in the City Clerk’s Office), that while they only rent the location, they have purchased a storage barn in the rear of the property to assist with making the site tidier, that there is adequate parking on the site and that they are only requesting the rezoning for a temporary period as they do not intend to continue for more than a couple of years with this business.

- J. Wilson, 20569 Frank Lane – indicating that he also operates a market stand nearby in Middlesex Centre, and supports farmers being allowed to sell their produce reasonably close to their growing operations. (D11-01-06)

17. That, on the recommendation of the General Manager of Planning and Development, based on the application of Dr. David Butera relating to the properties located at 1490 Highbury Avenue North and 1395 Klally Road:

(a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006, to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of the subject lands located at 1395 Klalley Road FROM an Urban Reserve (UR) Zone which permits existing dwellings, farm dwellings, and non-intensive agricultural uses, excluding mushroom farms and commercial greenhouses, TO a Holding Restricted Office (h-18*RO1) Zone to permit offices and medical/dental offices; and

(b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006, to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of the subject lands located at 1490 Highbury Avenue North FROM an Urban Reserve (UR) Zone which permits existing dwellings, farm dwellings, and non-intensive agricultural uses, excluding mushroom farms and commercial greenhouses, TO a Holding Restricted Office Special Provision (h-8*RO1( )) Zone to permit offices and medical/dental offices, with specific setback requirements relating to the Imperial Oil pipeline located adjacent to this property;

it being noted that through the site plan approval process, the issue of access and possible future joint access between the two properties will be addressed;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (D11-01-06)

18. That, on the recommendation of the General Manager of Planning and Development, based on the application of Kains West Land Corp. relating to the property located at 2029 Oxford Street West and 810 Westdel Bourne, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 6, 2006 to amend the Official Plan in accordance with the attached amendment to change the designation of the subject lands on Schedule “B” of the Official Plan by deleting the Aggregate Resource Areas designation;

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

- W. Veitch, Norquay Developments Ltd. – representing the applicant and expressing support for the staff recommendation; noting that their research indicates there are not sufficient aggregate resources on this property to make an extraction operation financially viable; and further noting that if the aggregate designation is not removed in its entirety there is a potential for the site to be mined in the future.
- J. Wilson, 20569 Frank Lane – requesting the aggregate designation remain on the northeast area of the site as that area would be well suited to future reforestation and that if the vegetation buffer is respected, the site would be too narrow for future development.
- P. Matthews, 5-4690 Colonel Talbot Road – noting that as a property owner to the west of this site, she would like to be included in all future circulations and mailings related to this site.
- J. Sweeny, 1854 Oxford Street West – expressing no objection to the removal of the aggregate designation for this site. (D11-08-06)
19. (18) That a demolition permit **BE ISSUED** to A. Kaplansky to demolish the residential building located at 599 Maitland Street. (D10-06)

20. (19) That a demolition permit **BE ISSUED** to Labatt Brewing Company to demolish the residential building located at 207 Simcoe Street. (D10-06)

II YOUR COMMITTEE REPORTS:

21. (4) That the Planning Committee received and noted the 1st Report of the Agricultural Advisory Committee from its meeting held on January 18, 2006. (See Report attached.)

22. (5) That the Planning Committee received and noted clauses 3 through 9 inclusive of the 2nd Report of the London Advisory Committee on Heritage from its meeting held on January 11, 2006. (See Report attached.)

The meeting adjourned at 9:04 p.m.