3rd Report of the
Planning Committee

Meeting held on January 25, 2010, commencing at 3:02 p.m.

Present: Councillor J. L. Baechler (Chair), Controller G. Barber and Councillors J. P. Bryant, S. E. Eagle, W. Lonc and S. Orser and B. Mercier (Acting Secretary).


I. YOUR COMMITTEE RECOMMENDS:

1. (1) That NO ACTION be taken with respect to the request from A. Duch, 5503 Colonel Talbot Road, seeking relief from being requested to complete the master business license portion of the City of London licence application for a business licence for an Auto Parts Swap Meet, as the matter has been resolved;

   it being noted that the Planning Committee reviewed and received a report dated January 25, 2010 from the General Manager of Finance and Corporate Services and Acting City Treasurer and a report dated January 25, 2010 from the General Manager of Planning and Development, with respect to this matter. (2010-P10-08)

2. (3,18) That NO ACTION be taken with respect to legal and planning representation at the Ontario Municipal Board Hearing relating to the minor variance application A.179/09 concerning 1696 and 1705 Fiddlehead Place, as the matter has been withdrawn. (2010-D16-00)

3. 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 November 5, 2009, and submitted by Tyson Akkila, relating to the minor variance application A.148/09 concerning 723 Adelaide Street North, the following actions be taken:

   (a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Committee of Adjustment decision to refuse the minor variance; and,

   (b) 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 Committee of Adjustment's decision. (2010-D16-00)

4. (6) That, on the recommendation of the General Manager of Planning and Development, based on the application of the Italian Seniors Project relating to the property located at 1109 Hamilton Road, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 1, 2010, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands FROM a Holding Residential R7 (h*h-18*R7*D29*H12) Zone TO a Residential R7 (R7*D29*H12) Zone to remove the holding provisions. (2010-D11-04)

5. (12,19) That, on the recommendation of the General Manager of Planning and Development, based on the application of Habitat for Humanity, London Inc. relating to the properties located at 181-183 Springbank Drive, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 1, 2010 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning on the subject lands FROM a Residential R1 (R1-6) Zone which permits one single detached dwelling on each lot TO a Residential R2 Special Provision (R2-1( )) Zone on a portion of the subject lands to permit a
total of one semi-detached dwelling with a special provision to reduce the minimum front yard setback to 3.6 metres from the main dwelling and 1.8 metres from the porch and an Open Space (OS4) on the remaining portion of the subject lands;

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. Duncan, #11-45 Pacific Court, Habitat for Humanity – expressing support for the staff recommendation, indicating that the Habitat for Humanity has extensively researched and addressed the community concerns at all levels; noting that every effort will be made to construct the new building to prevent flood damage, such as raised footings and waterproofing of the concrete, further indicating that that 95% of the wood and metal from the demolition of the two buildings will be recycled;

- T. McClenaghan, President, 111 Elmwood Avenue East, Friends of the Coves Subwatershed Inc. – expressing opposition to this application as outlined in the attached communication. (2010-D11-03)

it being noted that the Planning Committee received and noted a submission dated January 4, 2010 from T. McClenaghan, President, Friends of the Coves Subwatershed Inc., with respect to this matter.

6. That, on the recommendation of the General Manager of Planning and Development the attached proposed Clearing of Land by-law amendment BE INTRODUCED at the Council meeting of February 1, 2010;

it being pointed out that at the public participation meeting associated with this matter, no individuals made an oral submission in connection therewith. (2010-P05-00)

7. That, on the recommendation of the General Manager of Planning and Development, based on the application of VGR Investments Ltd. relating to the property located at 1379 Dundas Street East, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 1, 2010 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 (ASA5) Zone which permits automobile repair garages; restricted automotive uses; restaurants and taxi establishments TO an Associated Shopping Area Special Provision (ASA2( ))/ASA5) Zone to permit repair and rental establishments; retail stores; service and repair establishments; studios; supermarkets; video rental establishments; and brewing on premises establishments; in addition to the above noted uses. The special provision is to allow for office and personal service establishment as additional permitted 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:

- D. Brown, 376 Richmond Street, David Brown Associates, Development and Land Use Consultants – representing the applicant and expressing support for the staff recommendation.

8. 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,

(a) the attached proposed by-law BE INTRODUCED at a future meeting of the Municipal Council to amend Zoning By-law No. Z.-1, in conformity with the Official Plan by amending the existing Temporary Holding Light Industrial (T-50h*L16/L17) Zone, which permits a range of Light Industrial uses and temporarily allows for a commercial transportation driver training school, a storage depot, a transport terminal and a building/contracting establishment, by prohibiting truck/tractor parking on the northerly 140 metres of the site, and extending the Temporary Use Zone for a period not exceeding three (3) years, when the applicant has paved the driveway
from the paved portion of Chalkstone Drive to the east property line of the subject property; and

(b) 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. (2010-D11-06)

9. (16,20,21) That, on the recommendation of the General Manager of Planning and Development, based on the application of the City of London relating to policies for the adoption of secondary plans, the revised attached proposed by-law BE INTRODUCED at the Municipal Council meeting on February 1, 2010 to amend Section 6.4 Area Studies and Section 19.2 Area Studies of the Official Plan to replace policies regarding Area Plans and Community Plans with new policies for Secondary Plans, and to make amendments to various sections of the Official Plan to replace references to Area Plans and Community Plans with references to Secondary Plans, as required;

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. Kennedy, 630 Colborne Street, President, London Development Institute – expressing agreement with the use of the Secondary Plan process, indicating that the success of the process will be dependent on the committed involvement of all parties;

- G. Smith, 141 Meadowlily Road South – submitted the attached communication outlining his comments on the Secondary Plan process.

(2010-D07-00)

10. (17) That the following actions be taken with respect to the application submitted by Southside Group of Companies relating to the property located at 3804 South Winds Drive for a proposed draft plan of residential subdivision (File No. 39T-09503), showing 22 single detached residential lots served by two local streets:

(a) the public comments heard at the January 25, 2010 public participation meeting relating to the above-noted proposed draft plan of residential subdivision BE FORWARDED to the Approval Authority;

(b) in addition to the public comments, the following concerns BE FORWARDED to the Approval Authority:

(i) quality and quantity of ground water;
(ii) tree cover;
(iii) how would emergency services respond given the one road in to the settlement; and,
(iv) clarification of “rural settlement” outside the Urban Growth Boundaries; and,

(c) the public participation meeting participants BE NOTIFIED of the next public participation meeting 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. Zelinka, 318 Wellington Road, Zelinka Priamo Ltd. – representing the applicant and indicating that the file is not ready to be brought forward for the Planning Committee’s (PC) consideration until the concerns of the community are resolved; noting that the applicant will be providing results of water testing to the Community’s consultant before the application comes back to the PC.
• J. Liberatore, 3920 South Winds Drive – requesting to be notified of the next public participation meeting; indicating that he is not against the development of the area but is against the 22 additional wells, with 22 wells irrigating, what will that do to the water table and that there are already ongoing issues with high iron and sulphur in the water; further indicating that for over 30 years he has paid his taxes and received no services, don't make the water problem worse – get the waterline in.

• G. Conn, 3923 South Wind Drive – requesting to be notified of the next public participation meeting and indicating that he has lived in the area for 31 years.

• B. Ignagni, 3939 South Wind Drive – asked that he be notified of the next public participation meeting.

• D. Dittmer, 3915 South Wind Drive – requesting to be notified of the next public participation meeting; expressing that he currently has no filter on his water system and drinks directly from the tap and is concerned that his water will turn to sulphur with the additional wells; noting that they live in a beautiful area and enjoy a quality of life that they have chosen and are fearful of losing it; further indicating a concern for the response time for the police and fire to the rural area; requesting consideration of what the residents are saying, we all feel the same.

• G. Hedger, 3951 South Winds Drive – requesting to be notified of the next public participation meeting. (2010-D11-07/D26-05)

II YOUR COMMITTEE REPORTS:

13. That the Planning Committee heard a verbal delegation from J. Berridge, Partner, Urban Strategies Inc., with respect to an update on the Southwest Area Plan.

14. (2) That the Planning Committee received and noted an information report from the General Manager of Planning and Development, with respect to the result of an Ontario Municipal Board Hearing, related to an appeal to the Ontario Municipal Board by the Ministry of Municipal Affairs and Housing, concerning the application for a Zoning By-law amendment by the City of London Realty Services for the property located at 1416 Wilton Grove Road (North Portion). (2010-D11-02)

15. (5) That the Planning Committee received and noted an information report from the General Manager of Planning and Development, in response to the letter of appeal to the Ontario Municipal Board, dated February 17, 2009 and submitted by Peter Stavrou with respect to a decision to amend the Official Plan concerning lands located at 1491, 1509, 1510, 1540, 1640 Fanshawe Park Road West, 2034 Mallard Road, parts of 1525, 1557, 1579, 1635 Fanshawe Park Road West, and part of 1615 North Routledge Park. (2010-D11-02)
16. (7) That the Planning Committee received and noted an information report from the General Manager of Planning and Development, in consultation with the City Solicitor’s Office, relating to the decision of the Ontario Municipal Board to refuse the approval of the Official Plan Amendment (O.P.A. 456) and Zoning By-law Amendment (By-law No. Z-1-091628) for the property at 952 Southdale Road West; it being noted that the Board’s decision has implications for the structure of Council decisions on some planning matters. (2010-D11-06)

17. (8) That the Planning Committee received and noted a communication dated December 15, 2009 from A. Bennett, Acting Assistant Deputy Minister, Ministry of Municipal Affairs and Housing, with respect to the revised Planning Act regulations to comply with recommendations of the Propane Safety Review Panel. (2010-W12-00)

18. (11) That the Planning Committee received and noted the 2nd Report of the London Advisory Committee on Heritage from its meeting held on January 13, 2010. (See Report attached.)

19. That Councillor J. P. Bryant made an inquiry with respect to a zoning change for the property located at 562 Waterloo Street; it being noted that Staff will respond directly to Councillor Bryant with respect to this matter.

20. That Councillor J. L. Baechler disclosed a pecuniary interest in clause 15 of this report having to do with properties located at 1890-2090 Hyde Park Road, 1446, 1455, 1471, 1491, 1509, 1510, 1540, 1640 Fanshawe Park Road West, 2034 Mallard Road, Parts of 1525, 1557, 1579, 1635 Fanshawe Park Road West and Part of 1615 North Routledge Park, by indicating that she operates a business adjacent to these properties.

The meeting adjourned at 8:08 p.m.