12TH REPORT OF THE
PLANNING COMMITTEE

Meeting held on April 24, 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).


YOUR COMMITTEE RECOMMENDS:

1. (1) 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 March 3, 2006 and submitted by Barry R. Card on behalf of KAP Holdings Inc. relating to an application for amendments to the Official Plan and Zoning By-law, an application for site plan approval, and applications for a demolition permit concerning the properties located at 186 and 188 Huron Street, 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. (D11-04-06)

2. (2) That, on the recommendation of the General Manager of Planning and Development, based on the application of Sifton Properties Ltd. relating to the property located at 2420 Westdel Bourne (Part of Subdivision 39T-04505 – Phase 1, Lots 1-17), the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 1, 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 Holding Residential (h.Rl-4) Zone TO a Residential (Rl-4) Zone to remove the holding provision. (D11-07-06)

3. (5,20) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Crown Developments Ltd. relating to the property located at 1777 Highbury Avenue North:

(a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 1, 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 Residential R2 (R2-3) Zone which permits single detached, semi-detached, duplex, and converted dwellings (2 units maximum) TO a holding Residential R6 Special Provision (h- *h-56.R6-1( )) Zone to permit cluster housing in the form of single detached dwellings up to a maximum density of 15 units per hectare (6 units/acre) with a special provision for a minimum front and exterior side yard depth of 2.0 metres (6.56 ft.); and

(b) a public site plan meeting BE HELD to address any neighbourhood concerns with the final grading and drainage plans associated with the proposed future development of this site;

it being noted that drainage runoff should discharge to the existing storm sewer on Highbury Avenue;

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. Hunter, representing the applicant and noting he has been the owner and resident of this property for 16 years; indicating they are in agreement with the staff recommendation except for the requirement of a public site plan meeting as drainage issues are already being addressed and technical issues are better dealt with by professionals rather than the general public as that would only slow the process; further noting that a noise study is currently underway and that they do intend to retain as much tree cover on the perimeter of the site as possible.
• D. Ratz, 140 Killarney Court – expressing concerns with respect to drainage, tree preservation, and what the final site plan will look like.

• M. Williams, 144 Killarney Court – expressing concern with respect to what type of buildings will be constructed on the site; noting that he would like to see permanent perimeter fencing on the site as well as barriers during construction. (D11-02-06)

4. (6) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken based on the application of the City of London relating to the property located at 70 Highview Avenue East:

(a) by-law No. C.P.-1284(at)-306 implementing Official Plan Amendment 40 passed by the Municipal Council on July 6, 1993, relating to the subject property BE REPEALED;

(b) by-law No. C.P.-472(tz)-305 implementing Official Plan Amendment 529 passed by the Municipal Council on July 6, 1993, relating to the subject property BE REPEALED;

(c) the attached Official Plan Amendment BE ENDORSED at the Municipal Council meeting on May 1, 2006 to amend the Official Plan for the subject property FROM a “Restricted Service Commercial” designation TO a “Multi-Family, High Density Residential” designation; and

(d) the City Clerk’s Office BE REQUESTED to forward a certified copy of these resolutions to the Ontario Municipal Board for a hearing on Referral No.1, such referral being an appeal of the Restricted Service Commercial designation;

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. (D11-02-06)

5. (7) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken based on the application of David and Carolyn Murray relating to the property located at 4598 Murray Road:

(a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 1, 2006 to amend By-law No. 2000 (former Town of Westminster), in conformity with the Official Plan, to change the zoning of the subject lands FROM a General Agricultural (AI) Zone which permits farms, forestry uses, single family dwellings, conservation uses, wayside pits, home occupations and accessory uses TO a General Agricultural Exception (AI- ) Zone to permit a minimum lot area of 14 hectares and to maintain the existing buildings; and

(b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 1, 2006 to amend By-law No. Z-1-051390, in conformity with the Official Plan, to change the zoning of the subject lands FROM an Agricultural (AG2) Zone TO an Agricultural Special Provision (AG2( )) Zone to permit a minimum lot area of 14 hectares and to maintain the existing buildings;

it being noted that By-law No. Z.-1-051390 has been appealed to the Ontario Municipal Board and the amendment proposed under clause (b), above, will not come into force and effect until approved by the Ontario Municipal Board and further noting that, at such time, the Township By-law referred to in clause (a), above, will be rescinded;

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

• L. Kirkness, Kirkness Consulting – representing the applicant and
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expressing support for the staff recommendation.

- S. Smith, 709 Alanbrook Drive – expressing concern about the processes followed for this application and opposition to the agricultural use outside the Urban Growth Boundary.

       (D11-05-06)

6. (8) That, on the recommendation of the General Manager of Planning and Development, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 1, 2006 to amend Zoning By-law No. Z-1 (in conformity with the Official Plan) to:

   (a) amend paragraph 12, Section 4.10- Home Occupation, of Z-1 Zoning By-law to include a subparagraph that states: "Notwithstanding subsection 12, a dog and domestic cat grooming business is a permitted home occupation subject to the following provisions:

       i. a maximum of three (3) dogs and two (2) domestic cats be allowed on the premises at any one time in conformity with the City of London Animal Control By-law (PH-3) and Dog Licensing and Control By-law (PH-4);
       
       ii. no veterinary services be provided on the premises;

       iii. no breeding, boarding or overnight accommodation of dogs or domestic cats for grooming be permitted on the premises;

       iv. only dogs and domestic cats that are licensed or identified as per the City of London Animal Control By-law (PH-3) and Dog Licensing and Control By-law (PH-4), or dogs and domestic cats that are legally licenced by any other municipality in the Province of Ontario, be allowed on the premises at any one time;

       v. no dogs or domestic cats that are brought into the premises for grooming shall be permitted outside of the dwelling;

       vi. all other provisions of Section 4- General Provisions, Subsection 4.10, Home Occupation shall apply"; and

   (b) amend Section 2, Definitions, of the City of London Z.-1 Zoning By-law to include the following definition: "Dog or Domestic Cat Grooming - Home Occupation" means the grooming of a dog or domestic cat as defined in the City of London Animal Control By-law (PH-3) and Dog Licensing and Control By-law (PH-4) and includes bathing, cutting of hair, trimming of nails, and other services generally associated with the act of grooming";

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. Hodgins, 367 Brookhaven Place – noting she would like to relocate her grooming business from a commercial area to her home in order to spend more time with her family but indicating she felt that it was important to set a good example and follow the regulations of the home occupation provisions; further noting that while the 3 dog limit would certainly be workable, a 5 dog limit would be more practical for such a business.

- Mr. Mann, 26 Redwood Lane – expressing support for the staff recommendation and Ms. Hodgins.

- C. Wiebe, 73 Sunningdale Avenue – owner of the Stoneybrook Animal Hospital where Ms. Hodgins previously located her grooming business and noting that expansion to the veterinary services also necessitated a change in location for Ms. Hodgins' business and expressing support for the zoning amendment.

- A. Tipping, 2809 Dingman Drive – expressing support for the zoning amendment and Ms. Hodgins.

       (D11-02-08)
7. (9) That, on the recommendation of the General Manager of Planning and Development, based on the application of the City of London relating to amendments to Table 5.3, Regulations for R1 Zone Variations, of the Z.-1 Zoning By-law, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 1, 2006 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to:

(i) amend Table 5.3, "Regulations for R1 Zone Variation", by deleting line 10, "Front and Exterior Side Yard Depth for Secondary Collectors"; and

(ii) amend Table 5.3, "Regulations for R1 Zone Variation", by replacing the number "6" with the number "6.0" on Line 7 (Front and Exterior Side Yard Depth for Local and Secondary Collector, Garage);

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (D11-02-06)

8. (10) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the site plan approval application of 1625987 Ontario Inc. (Anthony Steele) relating to the property located at 185 Horton Street East:

(a) the attached site plan and development agreement clauses for a 40 unit apartment building with 3 storeys BE APPROVED, subject to approval of the grading and drainage plan; it being noted that clause 22 of the development agreement is amended to reflect a requirement to construct an 8 foot high Durasol wall approximately 30 feet in length along the western side of the subject site where it abuts the rear of the property located at 230 Richmond Street, excluding the area behind an existing garage on that property; and

(b) the applicant BE ADVISED that the General Manager of Planning and Development has projected the following claims and revenues information:

<table>
<thead>
<tr>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
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<tbody>
<tr>
<td>Urban Works Reserve Fund</td>
<td>$111,936.00*</td>
</tr>
<tr>
<td>Other Reserve Funds (City Services &amp; Hydro)</td>
<td>$191,760.00*</td>
</tr>
<tr>
<td>LDCSB Charges</td>
<td>$15,160.00*</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$318,856.00</strong>*</td>
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* The above noted revenues will be reduced by conversion credits and demolition credits and the extent of these credits will be determined at the building permit stage for the demolition;

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. Tome, R. Tome and Associates Inc. – representing the applicant and expressing support for the staff recommendation.
- M. Hantas, 230 Richmond Street – requesting a concrete sound barrier as high as possible to be constructed at the rear of her property to maintain privacy as a two storey cement block building that currently exists along the rear of the property will be demolished and requesting guardrails to be installed in front of the sound barrier, also expressing concerns about the lack of green space for the development and inadequate parking spaces. (D25-00-06)
9. (11,21) That the request for a demolition permit by 185 Central Ave. Ltd. (A. Blumas) to demolish the residential building located at 185 Central Avenue was DEFERRED to a future meeting of the Planning Committee to allow time for staff to review parking issues in the area surrounding Richmond Street and Central Avenue, as well as for adjacent properties; it being noted that the final intended use for this property is for parking purposes;

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. Blumas, 1502 Stoneybrook Crescent – noting that neighbouring properties on Central Avenue have already been demolished or redeveloped and that more parking in this area is required; further noting that the house is not in good condition and should not be noted in the Inventory of Heritage Resources as a significant building.

- C. Jones, 191 Central Avenue – expressing concern that access to her property be maintained if 185 Central Avenue is demolished as they share a common laneway, and also concern that previous demolitions in the area damaged her home from excessive vibrations.

- S. Estabrook, 197 Central Avenue – expressing concerns about any demolition permit being issued in advance of an approved site plan as a property on the other side of Central Avenue was to be a high end condo development, however a demolition permit was approved without a site plan and it appears the property will now be developed as student housing.

- S. Farhi, Farhi Holdings Corporation – noting that he owns a number of properties in the area bounded by Hyman, Richmond and Wellington Streets and Central Avenue and that there are many vacancies in these properties due to a lack of parking in the area; further noting that there is an opportunity to attract a large business from the suburbs to downtown in this area but that 150 parking spaces are needed, and that this site would assist in alleviating some of the parking issues.

(D10-00-06)

10. (12,22) That, on the recommendation of the General Manager of Planning and Development, the following actions be taken in response to the letter of appeal to the Ontario Municipal Board, dated September 15, 2005 (see attached) and submitted by Imperial Oil Limited relating to Zoning By-law No. Z.-1 concerning 1160 Oxford Street West, southeast corner at Hyde Park Road, and in response to a revised site plan for the subject lands:

(a) the attached proposed by-law BE ENDORSED at the Municipal Council meeting on May 1, 2006 and the Civic Administration BE DIRECTED to forward a certified copy of this proposed by-law and the associated Council resolution to the Ontario Municipal Board to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning of the subject lands FROM a Convenience Commercial/Service Station (CC/SS1) Zone which permits convenience service establishments, convenience stores, financial institutions, personal service establishments, automobile service stations and gas bars, all without drive-through facilities, TO a Convenience Commercial Special Provision/Service Station (CC(G)/SS1) Zone to add a restaurant with a drive-through facility to the existing list of permitted uses; and,

(b) the Ontario Municipal Board BE REQUESTED to withhold its order on the recommended by-law until a site plan agreement has been completed consistent with the attached site plan;

it being noted that staff will report back at a future meeting of the Planning Committee with respect to information on traffic movement in the area and whether adjustments to road allowances are required;

it being further noted that a minor variance application, based on the site plan, may be needed for interior side yard/rear yard and parking;
it being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therewith:

- M. Goldberg, Goldberg Group - representing the applicant and expressing thanks to staff for their reasonable approach to the numerous issues involved in this application; noting that they have altered the design of the stacking lane for the drive thorough and size of the turning radius required for supply trucks to improve the site design; further noting that if additional roadworks are required in this area to make it safer and provide for better traffic flow, there should be enough room on the existing right of ways to do so and should not impact this particular development.

- R. Dickinson, 1118 St. Anthony Road - representing the Oakridge Hazelton Community Association and noting that while they have met with staff, they still have concerns that other traffic issues at this intersection have not been addressed, and pose serious safety concerns from the amount of congestion occurring, which might be addressed with additional turning lights and lanes as well as better positioned bus bays.

- N. Williams, 6-55 Fiddlers Green Road - noting that the condominium communities in this area are very concerned about the increase of traffic congestion in this area and resultant safety concerns for seniors and students which frequent the area.

- P. Hubert, 198 Whitton Avenue - noting that there has been intensification in the area over the last 2 years which has resulted in significant changes in traffic patterns and that there is an urgent need to review the area for safety reasons and make changes to the existing intersection.

(D11-04-06)

11. (13) That the application of Gainsborough Place Inc. relating to the property located at 848 Gainsborough Road BE REFERRED back to staff to review stormwater management issues, woodlot protection conditions and several other municipal requirements with the applicant and to report back thereon at the next meeting of the Planning Committee;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (D26-02-06)

12. (14,23) That, on the recommendation of the General Manager of Planning and Development, based on the application of Ray Millson relating to the property located at 3544 Dingman Drive, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 1, 2006 to:

(i) amend By-law No. Z.-1-051390, by repealing the zoning on the subject lands and by deleting these 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 and the Buffer Agricultural (A3) Zone applicable to the subject lands and deleting these lands from the said By-law; and

(iii) amend By-law No. Z.-1, in conformity with the Official Plan, by changing the zoning of the said lands to apply a Holding General Industrial Special Provision /Holding Heavy Industrial Special Provision (h. h-17"G11(" h-47"H4(" /h-47"H14(" Zone to permit a construction and demolition recycling facility on the subject site. Other permitted uses could include: auction establishments; automobile body shop; automobile repair garages; building or contracting establishments; commercial recreation establishments; dry cleaning and laundry plants; food, tobacco and beverage processing industries; manufacturing and assembly industries; printing, reproduction and data processing industries; private clubs; processed goods industries; repair and rental establishments; research and development establishments; service and repair establishments; service trades; storage depots; vehicle sales and service establishments; warehouse establishments; and wholesale establishments. To ensure the orderly development of lands and the
adequate provision of municipal services, the h-17 holding provision will be applied to the site to ensure full municipal sanitary sewer and water services are available to service the site. Dry uses, which will include a construction and demolition recycling facility, on individual sanitary facilities are permitted in the interim;

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, Zelinka Priamo Ltd. – representing the applicant and noting that the physical location and size of this site make it an ideal location for a recycling use, that the unique stormwater management system proposed will allow for runoff containment and no contamination of Dingman Creek, that various landowners in the area represented by Stantec Consulting Ltd. have indicated no further issues with the development, and encouraging approval of the staff recommendation.

- J. Graham, President and Owner of TRY Recycling Inc. – providing an overview of TRY’s current location and proposed new operation.

- R. Millson, 3544 Dingman Drive – noting that as the current owner of the property, he is very comfortable with the proposed operation by TRY Recycling Inc. as they have proven to be good citizens and expressing thanks to staff and the various community groups for working together to find a final resolution for this application.

- S. Smith, 709 Alanbrook – requesting clarification of the wording used within the staff report.

- J. Jardine, Jardine Management – noting that TRY makes great contributions to recycling and does a credible job in the community, but expressing some concern with respect to the lack of detailed analysis with respect to the closed stormwater management system and whether it will allow for the discharge of runoff into Dingman Creek, and also noting that there will need to be significant improvements to Dingman Drive to allow for additional heavy truck traffic.

- W. Bradnock, representing Friends of Dingman Creek and noting that they do have concerns about runoff into Dingman Creek but believe these concerns can be alleviated by the proposed stormwater management system.

- J. Boyce, Decker Drive, President, Lambeth Community Association – expressing support for the plans brought forward by TRY Recycling but still noting some concern that there will be flows into Dingman Creek which would negate the improvements to the quality of the creek in recent years.

- G. Faul, 11 Scottsdale Street - representing the Southwest Rural and Urban Association and expressing support for the development of an innovative stormwater management system and also congratulating staff, the community and the developers for engaging in the level of cooperation necessary to make the proposal a success.

- V. Dalachenko, 3669 Dingman Drive – expressing concern that no runoff enter Dingman Creek as its quality has only recently started improving, and also noting that Dingman Drive will need to be upgraded to allow for large trucks, further noting that if these concerns were addressed he would support the application.

(D11-05-06)
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13. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken based on the application of Agostino Mastrandrea relating to the property located at 8492 Longwoods Road:

(a) the request to amend the zoning of the subject lands FROM a Rural Holding (A2) Zone TO a Rural Holding Exception (A2-) Zone in By-law No. 2000 (former Town of Westminster); and FROM a Residential R1 (R1-17) Zone and an Agricultural AG1 Zone TO a Residential R1 (R1-15) Zone in By-law No. Z.-1-051390 (Annexed Area Zoning By-law Amendment) to permit single detached dwellings with a minimum lot area of 3000 square metres (32,292 sq.ft.) and minimum lot frontage of 40 metres (131.2 ft.), BE REFUSED;

(b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 1, 2006 to amend Zoning By-law No. 2000 (former Town of Westminster), in conformity with the Official Plan, to change the zoning of the portion of the subject lands fronting Longwoods Road FROM a Rural Holding (A2) Zone, which permits such uses as a farm, market garden and single family dwelling with a minimum lot area of 22 hectares (54.4 acres), TO a Rural Holding Exception (A2-) Zone to permit single detached dwellings with a minimum lot area of 3000 square metres (32,292 sq.ft.) and minimum lot frontage of 40 metres (131.2 ft.); and

(c) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on May 1, 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 of the portion of the subject lands fronting Longwoods Road FROM a Residential R1 (R1-17) Zone TO a Residential R1 (R1-15) Zone to permit single detached dwellings with a minimum lot area of 3000 square metres (32,292 sq.ft.) and minimum lot frontage of 40 metres (131.2 ft.);

it being noted that should the zoning by-law amendments be approved, the London Consent Authority will be requested to impose as conditions of consent for a severance and conveyance of the subject lands the following:

i) a hydrogeological/geotechnical study be undertaken to assess the potential groundwater contamination from the individual on-site sewage treatment systems in accordance with Provincial guidelines and to demonstrate that conditions are suitable for the long term provision of individual on-site sewage treatment systems;

ii) the proponent demonstrates that the proposed parcels can provide a natural supply of water which meets or exceeds the Ontario Drinking Water Objectives to the satisfaction of the Middlesex-London Medical Officer of Health, and provide an adequate potable water supply to the satisfaction of the City’s Building Division without affecting the quality and quantity of water in active wells operating in the area;

iii) the proponent undertakes to remove the frame barn existing on this property;

iv) an archaeological assessment be undertaken: and

v) access for all development will be provided by one mutual access driveway on Longwoods Road and one mutual access driveway on Homewood Lane.

it being further noted that Zoning By-law No. Z.-1-051390 (Annexed Area Zoning By-law Amendment) has been appealed to the Ontario Municipal Board and the amendment proposed under clause (c), as noted above, would not come into force and effect until the Ontario Municipal Board issues an order relating to Zoning By-law No. Z.-1-051390. (D11-05-06)

14. That a demolition permit BE ISSUED to Ladan Javid to demolish the residential building located at 1667 Louise Boulevard. (D10-00-08)
15. (17) That a demolition permit BE ISSUED to S. Johnston to demolish the residential building located at 1615 Byron Baseline Road. (D10-00-06)

16. (18) That a demolition permit BE ISSUED to 1096533 Ontario Limited (R. Brackenbury) to demolish the residential building located at 1091 Richmond Street. (D10-00-06)

17. (4) That the monthly reports of the Building Division for March 2006 BE NOTED AND FILED. (A08-05-06)

II YOUR COMMITTEE REPORTS:

18. (3,19) That the Planning Committee received and noted information reports from the City Solicitor and the General Manager of Planning and Development with respect to the appeal to the Ontario Municipal Board by Aarts-Can Holdings Inc. relating to the property located at 2010 Oxford Street East. (D25-00-06)

19. That Deputy Mayor T. C. Gosnell disclosed a pecuniary interest in clauses 12 and 18 of this Report by indicating he has clients with an interest in these properties.

20. That Councillor S. E. White disclosed a pecuniary interest in clause 9 of this Report by indicating an individual involved with this application rents a property to her employer.

The meeting adjourned at 9:07 p.m.